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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞The large supplement to the last volume is finished—and will be forwarded immediately. A few copies yet remain, at the service of subscribers to the REGISTER, at one dollar each.

We expect to send out the title page and index for the last volume, with the next number. It has been delayed, that the contents of the supplement might be added in their proper places.

☞We have been, and quite unexpectedly, led into the *making* of a long article on nullification, in its principle and practice, and particular application. On first taking up the article from the "Telegraph," we designed to dismiss it with a few brief observations; but our pen got "a running," and it did not seem easy to stop it. So we "let it go a-head"—thinking that, perhaps the present was as good a time as any other to say certain things which we had intended to say, at a future period, and on another occasion. The general direction of the argument, however, does not appear to have much practical utility, *at present*, and will not be pursued. We shall not now go into a regular discussion of the points stated, or made, much as we desired it with the senior editor of the "Richmond Enquirer" some few months ago, under special considerations and peculiar circumstances—from which Mr. *Ritchie* "backed out," and, as we thought, rather unhandsomely. But that was his own affair. The time may come, and the existing condition of circumstances be so changed—that we shall be willing to take up that gauntlet which Mr. *Green* offered—after Mr. *Ritchie* had both accepted and retired from that which we had thrown down: but of that time, and those circumstances, we must judge for ourselves. Without any interest at stake, personal or partisan, in this matter—without a subscription to the opinions of any man, or set of men—and in a conscious independence of all men, except in the fitness of things, as apparent to our own understanding, we have devoted ourselves to a promotion of the industry of the laboring *people* of the U. States. These have a greater interest in this subject than we; and if the working man "goes supperless to bed," the sin lies not with us—the wrong is not of our making. We have had "no part or lot in this matter"—either in private practice or public performances of what we thought duty. We have not yet said, however, that,—when there shall be a "moving of the waters," by the spirit of truth—when a love of "the light" shall supersede a devotion to idols, and privation reform the affections of men by operating on their bellies—we shall refrain from again giving up our heart and soul, with every rightful effort of body and mind, to the cause of our fellows—THE PRODUCTIVE LABORERS OF THE UNITED STATES.

☞The treasury instructions *establishing*, (if not EXACTING), the tariff law of the United States, are inserted in a subsequent page. Among our most decided objections to the act of the last session, was the power which it placed in the hands of the secretary of the treasury—whoever he may be, and for eight years to come—if the act remains undisturbed; rendering that officer, under direction of the president, *commander-in-chief* over the tariff, whether regarded as a matter of protection, or a thing of dollars and cents only, receivable at the treasury—a power which, we think, congress ought not to have parted with: for if the secretary has, or hereafter shall, exert that power wrongfully—great injury may arise before a corrective can be applied. We have no personal allusion to the present secretary of the treasury, nor fault specially to find with his proceedings now before us—but would not have consented to the investment of so great an amount of public authority, and private influence, in *any* individual; and to relinquish, as it were, a holding of the nation's purse-strings.

Mr. *McLane* has put down all speculation as to the operation of the law, and his opinion is in conformity with the generally accepted meaning of the act. The

sum of the reductions is to be calculated on the reported, or ascertained, real value, or foreign cost, of every article; and the *minimum* principle and *specific* duties are subject to those rules which every one saw was applicable to simple *ad valorem* articles. This will dissipate the fancied security of some engaged in particular branches of manufactures—and surprise others who seemed to entertain a "notion" that the specific duties were preserved. We could not see any reason for hoping or expecting either of these things. As a levelling system had been resolved on, we supposed that all the duties would be cut down on the *same principle*—though some articles will bear a reduction much better than others; some thrive the better for it, (*at the cost of consumers, because of a reduced competition*), for a while to come, and others more speedily be given up to "*our* workshops" in Europe.

It will take a goodly number of clerks, we suppose, to figure-out the amount of the duties according to the treasury instructions; yet always having been in favor of specific appropriations and specific duties, we wish that a specific manner of applying the law had been established by the makers of the law. But "what has been done cannot be undone." It is probable that the act, because of its own imperfections, will come up for consideration, explanation, &c. at the next session; and if so, we hope that time may be allowed to ascertain and prescribe the particular duties which shall be payable on particular articles. We apprehend that the public safety, as well as individual security, are considerably involved in this matter; and, when encountering an evil, as we believe that this law is, it is important that all its metes and boundaries should be clearly before us. Established by law, and not liable to construction, misconstruction, or re-construction, as the case may be, at different times, under different views of things, and by different secretaries.

The *modus operandi*, under the instructions, we suppose, will be thus:

1st. As to articles subject to a *minimum*, such as cotton yarn and cloths, certain kinds of woollens, &c.

The minimum of white cotton goods is fixed at 30 cents the square yard—and the duty is 20 per cent. on this value—that is, 6 cents the square yard. The foreign actual cost, let us say, is also six cents. The duty then is at the rate of 100 per cent. on the foreign cost. As it is only the duty *over* 20 per cent. which is to be acted on, one-tenth of 80 per cent. or 4.8 mills of the duty on a square yard, will be the amount of the *first* reduction, and so on, until the duty shall sink to 20 per cent. equal to one cent and two mills on the square yard, if costing six cents—and in that proportion.

2d. As to *specific* duties—a numerous class of articles.

The duty on a ton of bar iron manufactured by rolling, is 30 dollars—and such iron, of an inferior quality, has been often sold in England for 30 dollars. The present duty is 100 per cent.—80 per cent. or 24 dollars the ton, is then subject to the reduction, and the first fall in the duty, (one-tenth), will be 240 cents per ton. At the end of the period, the duty will be six dollars per ton.

3rd. As to duties which are both *specific and ad valorem.*

Wool costing more than 8 cents per lb. pays a duty of 4 cents per lb. and of 40 per cent. ad. val. If its foreign value is 20 cents, the present duty is 12 cents per lb. or 60 per cent. ad. val. The excess duty for reduction is 40 per cent. equal to 8 cents per lb. and the tenth is 8 mills. The ultimate amount of the duty on such wool will be 20 per cent. or 4 cents per lb.

It is hardly necessary to speak of the simple ad valorem duties, for no doubt has existed as to the operation of the new law upon them.

Every particular package or parcel of goods,* will be subject to *particular* calculations on its cost. The duty

*Aye, or *piece*, if subject to be entered for exportation, and repayment of duty, by debenture.

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on sugar, for example, which costs 5 cents per lb. and now paying 50 per cent. ad val. will have its first reduction in one-tenth of 30 per cent. which, at 2½ cents the present duty, will be 1½ mills per lb. and the final duty on such sugar be one cent per lb. If the sugar costs 2½ cents, the duty being the same, the rate is one hundred per cent. 80 per cent. is then the excess, and the first reduction will be 2 mills per lb.—and the ultimate duty only half a cent per lb.

☞We publish a sensible report on currency, capital, interest, &c. recently made to the legislature of New York —and recommend it to the careful examination of those who desire to investigate elementary principles of important things. It would appear to us that, notwithstanding the "safety fund," &c. the state of the currency is not such as it should be in the state of New York. It might be considerably "reformed," perhaps by forbidding the issue of bank notes, or bills, or any thing in lieu thereof, for a less sum than three dollars, as a preliminary step—to extend to five dollars, in a year or two thereafter; and then ceasing to manufacture new banks, the law should interfere and prevent excessive issues by the old ones. A sudden contraction of the currency always causes the ruin of many worthy men, and sometimes produces general distress; and, as contractions will occasionally happen, the safety of the people is best assured in restricting the *currency*—which restriction will increase *capital*, whenever there shall be profitable employments for it.

NULLIFICATION. The United States Telegraph of the 25th ult. had the following extract and remarks:

It will be seen by referring to Mr. Calhoun's letter, and the speeches of gov. Hayne and gen. Hamilton, that an exercise of the "right of nullification," by the state of South Carolina, having caused the recent adjustment of the tariff, is hereafter to be held as the "rightful remedy," in either of the twenty-four states, for the redress of any real or imaginary evil, arising out of the laws of the United States, or the decisions of the supreme court.

And though nullification has not been formally acknowledged in congress, as the "rightful remedy," it certainly has been respected as an efficient one.—*Niles' Register.*

Is the editor of the Register really ignorant of the principles of nullification, or does he intentionally misrepresent them? We are loth to believe the latter; but he ought to know something about them before he utters the sweeping denunciations which have appeared in the Register. The advocates of nullification have never pretended to consider it as a means of obtaining redress, for "any real or imaginary evil arising out of the laws," &c. It is only in cases of violations of the constitution, usurpations of power, not granted, and perversions of granted powers, that we contend the nullifying powers of a state can be rightfully exercised.

If abuses which do not extend to perversion, exist in the exercise of granted powers, the remedy is in the ballot box. If redress cannot be obtained through that, it remains for the people of the state or states to decide whether they will submit to the oppression or will secede. They would have no right to nullify the law. They would be bound to submit to the requisitions of the law as long as they remained members of the union. If the oppression be too grievous to be borne, they have no redress but secession—unless the preparatory steps for secession should induce the majority to relax in their oppression.

It is true that there may be cases in which the abuses of even a granted power may be of such a nature, as to justify a state in nullifying an act of congress. Thus, when powers granted for the attainment of one object, are *perverted* to the attainment of another object, not contemplated by the framers of the constitution, nor deducible by fair construction from it.

If the editor of the Register has not accurately comprehended the *doctrine* of nullification—he seems fully convinced of its *efficiency*. This is by far the most important part of it.—And although congress may not have acknowledged it as the "rightful remedy," yet as they have "respected it as an *efficient* one," we are well satisfied of the state of the case—having full reliance upon the prudence, patriotism and good sense of the people, that they will not have recourse to it, but when it would be "rightful," as well as "efficient." If this be not a safe reliance, let us at once establish a race of kings, to save the people from themselves.

The clamors against nullification are useless. He is little acquainted with the nature of political institutions, who does not see that nullification has become a principle of our government. It is useless to attempt to disguise it. The people know it and feel it. It is a principle that necessarily lies dormant until there is a necessity for its action. It then rises with the strength of a giant, and with the energies of an oppressed people. It slumbers until oppression calls it forth. The Virginia and Kentucky resolutions gave it birth—the ordinance of South Carolina matured it. And the people, whether at the north, south, east, or west, will always recur to it, to resist unconstitutional oppression.

We give to the editor of the "Telegraph" the benefit of *all* his remarks on our brief paragraphs, and shall make some observations upon them—not intending, however, at present, to enter into a consideration of several subjects which are held ready for discussion, when the utility of an argument concerning them shall become more apparent than it is now.

Though we never kissed the "black stone" and swallowed the president's proclamation "whole," we gave a hearty consent to the general principles of that paper, because that they were really our own—having, for years, apprehended more danger from the factiousness of states than on account of an increased, or consolidating, power in the federal government; though free to confess, that several things happening in the last four years have induced us to apprehend the existence of a greater *central dominion* than we had supposed was admissible—or would be endured. Still, there are parts in the proclamation which go much beyond that political heresy which we ("genuine democrats of '98"), imputed to the *old* "federal school," and not at all necessary, in our humble opinion, to a broad and conclusive argument against nullification, as expounded by its advocates in South Carolina and elsewhere. But we have fallen upon strange times. A little while ago, and no persons in the United States proceeded so far in expanding the powers of the *general government*, as some who now are the most prominent in contracting these powers, and contending that *each state* is a "sovereign" interpreter of the rightfulness of *every* proceeding of that government—for to this extent the doctrine of nullification reaches, else the claims made in favor of state "sovereignty" are as well scandalous as they are peurile. And more recently, only two years since, others who have gulped down the "entire" proclamation—as young robbins swallow *all* things which are offered—in authority, or "by authority," or on their "allegiance," abused Mr. *Webster* with "rank federalism," because of his speech on Mr. Foot's resolution, and extolled Mr. *Hayne* for his correct and "truly republican" constructions of the constitution; and yet it is found that almost every generally accepted principle laid down in the proclamation may be clearly traced in Mr. *Webster's* "federal," or "*blue light*" *speech*, as many of the "collar presses" bawled out that it was—concerning which we have many curious articles in "pickle," and shall produce some of them—when necessary.*

We neither understand the *metaphysics* nor the METEMPSYCHOSES of NULLIFICATION. We are "ignorant" of both. But beg leave to think, that we have looked as long at *practical* things, and, perhaps, may have as good a judgment concerning them, as the editor of the Telegraph. At any rate—we cannot elect *him* our schoolmaster. He says—"The advocates of nullification have never pretended to consider it as a means of obtaining redress for 'any real or imaginary evil arising out of the laws,' &c. It is only in cases of violations of the constitution, usurpations of power, not granted, and perversions of granted powers, that we contend the nullifying powers of a state can be rightfully exercised." What more is needed to the argument? A "*sovereign*" state decides on the constitutionality of a law—and may call its passage either an "usurpation" or "perversion" of power, at its own discretion—for *the* "sovereign" admits of no superior. And whether the act of "the sovereign" be on account of "a real or imaginary evil," the right of action is the same, and unimpeachable! Even COMMON SENSE has nothing to do with this matter—has no influence over it! To speak to the case in point:—not more than four or five of the states consider the tariff laws to be unconstitutional, and twenty-three, out of the twenty-four, repudiate the doctrine of nullification—casting it

* The proclamation was very troublesome to our old friend, the editor of the Richmond Enquirer,—but, at last, he seems to have "taken" it, and become very moderate about state-rights. When the proclamation had just issued, some *Yankee* editor thus happily described the state of the case:—"Mr. Ritchie handles the proclamation as a hungry man would a hot roll which he had stolen, and which he was anxious to swallow, but which, as he felt it burning in his hand, he was afraid to put it in his mouth, while he feared detection, if he did not hide it effectually."

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off as a political leprosy; so it is also with a large majority in congress, and, perhaps, in the unanimous judgment of the supreme court: yet a protecting tariff *is* unconstitutional, and nullification the "rightful remedy," because——so South Carolina wills it! And the state being "sovereign," is under no legal obligation either to comply with the wishes of a majority of the states, or submit herself to the *common sense* of mankind! The "sovereign" is absolute. And if, as in the late war, the United States should again levy a tax upon *coaches*—South Carolina may pass an "ordinance" changing all her "coaches" into *wagons*, and thus nullify the act. What is it to her that every lexicographer makes a wide difference between "coaches" and "wagons?" It is in the power of the "sovereign" to render "fleas into lobsters,"—though Sir Joseph Banks, after "philosophically" boiling a pot-full of the latter, certainly ascertained that "fleas are *not* lobsters!"

Such is the power of the states—in nullification! We do not mean to speak lightly on the subject. If the third clause of the eighth article of the constitution, which gives congress power to "regulate commerce," does not authorise the enactment of protecting tariff laws—the power so long exercised, (and still in action), imposing discriminatory duties on tonnage, or prohibiting the coasting trade to foreign vessels, is surely unconstitutional, and ought to be "nullified!" The rule which applies to goods is applicable to the ships which carry them. We defy the whole host of *metaphysicians* to draw a line between them,—and the entire tribe of "philosophers" to present a clause in the constitution which either separates these branches of domestic industry, or prefers one over the other. There is no such clause. If the grant of a full power, to "regulate commerce," does not contain subordinate, or incidental powers, as some of the state-rights men *seem* to contend, a South Carolina planter may employ a *Bermudian* vessel to carry his cotton from Georgetown to Charleston, or New York, and bring back to him wines and negro cloths, race horses and cotton bagging; and as the power to *prohibit* such employment of foreign vessels is not stated in the constitution, such prohibition may either be called an "usurpation" or "perversion" of power. This, however, is not *now* affected. But the *same* clause that protects, or prefers, American navigation, protects or prefers American manufactures—and the power granted is natural and unalienable, in both cases. Without it—the United States has *no* sovereign authority. If the power of self-defence is denied—there is no other worth insisting upon; and the government of this great republic is placed in the condition of a *negro's dog*, which DARES not return even a snap for a bite, when assailed by a white man's cur. We say,—that the power to encourage and protect the navigation of the United States, which has been mightily exercised from the beginning of this government, and, in a very important part, to ABSOLUTE PROHIBITION—*has the same, and no other, constitutional authority than than that which is given to encourage and protect the manufacture of mouse traps.* Both are derived from the full power just above stated. The right to tax foreign ships entering our ports, to any amount, for the encouragement of ship-building in the United States, is universally conceded—but the right to tax foreign products and manufactures, that other American products and manufactures may be substituted for them—is "nullified!" Neither ships nor mouse traps are mentioned in the constitution. They are *both* articles of "commerce," and the right to regulate the importation, or introduction of either, is precisely the same. For a long series of years, we taxed all foreign vessels one dollar per ton on their entry, our own being admitted on the payment of six cents. Ships are only the agents of "commerce," and so are camels and mules. *Navigation* has less to do with "commerce" than *agriculture;*† and is, by far, the lesser interest: yet some years ago, when France imposed a duty of 18 dollars per ton on American vessels entering her ports, a law was passed, by the UNANIMOUS vote of both houses of congress, imposing a duty of 18 dollars per ton on French vessels entering our ports; and if France had also taxed-out our *cotton*, should we not have taxed-out French goods? But the case is "materially altered" when *wheat*, and not cotton—and *English*, not French, goods are concerned! We want no wire drawing about this matter—no attempts to shew the difference between the north and north-east side of every bristle on a "whole hog's" back, from the "snout to the tail!"* We demand it, of our quondam friend, Mr. *Obsta Principiis*, and present cotemporary, *Nous Verrons*, "esquire"—and of *gen. Green*, who has stepped into the cast-off slip-shods of Mr. *Ritchie*, since the days of his abjection, decreed in the proclamation—to put their "finger upon that part of the constitution," (as Mr. R. *used* to say), which *prohibits* the coasting trade to foreign vessels—allows the imposition of *discriminatory* duties upon them and their cargoes—or authorises the employment of the American navy for the *protection* of American commerce—even at the antipodes, or in the Mediterranean, and at a greater expense to the public, in that sea, than is the amount of all the private profits which accrue to us from its trade. These powers, however, are natural results of the acknowledged independence of the United States, and are not disputed—still the right to nullify them cannot be questioned—for a *sovereign* state cannot err! A power to protect the labor and property of persons, engaged in any *particular* pursuit, is not given in the constitution; yet *every* citizen believes in the existence, and sees the perpetual action of such a power. It is only concerning its application, or a sheer question of expediency, about which individuals differ. On what principle is it, *that the importation of slaves is prohibited?* Because, as we suppose, thought to promote the "general welfare." May not the "general welfare" be as well promoted in excluding the *productions* of white slaves, as the *persons* of black ones? The constitutional rule which is applicable to the last, must hold good with respect to the first. South Carolina, in her wisdom, continued the importation of negroes to the latest moment that she could—and, down to 1808, the Charleston newspapers were filled with advertisements of *cargoes* of them for sale. The law which now prohibits the importation of slaves, stands precisely upon the principle which prohibits the coasting trade to foreign vessels, imposes discriminatory duties on goods imported in such vessels, or if from beyond the cape of Good Hope, or assesses *other* duties for the further encouragement of American industry: but it pleases South Carolina, in the power of her own individual "sovereignty," alone in her own might, to pronounce the latter class of duties unconstitutional! It is more lawful to protect home-manufactured *Yankee* ships, than home-made *Yankee* "palmetto buttons!"

But if we had ever held an opinion that "nullification is a rightful remedy" for the redress of "real or imaginary evils," the carrying-out of the doctrine, in South Carolina, would have rendered it contemptible. We allude to the act of the convention nullifying the late law, "further to provide for the collection of duties on im-

†Nothing like a correct estimate can be made of the *internal commerce* of the United States—but the *first* sales of the products of the land, rendered valuable by labor variously applied, including all sorts of commodities, with costs of transportation, &c. perhaps amount to not less than one thousand millions of dollars a year. This will not appear an unreasonable sum, we think, to those who shall reflect upon the subject, and will endeavor to grasp the multitudious pursuits and products of land and labor.

If the *manufactures* of the United States have an aggregate value of 300 millions—we mean manufactures of houses and ships, as well as of cotton and woollen cloths, and hob-nails—not less than 375 millions, or three fourths of the annual aggregate, belongs to the *agricultural* or *land holding* interest, in one way or another, chiefly for subsistence and materials, or means, supplied—minerals and earths, water power, timber, wool, and a thousand *et ceteras*.

*As many copies of this article will probably out-live a distinct recollection of the scurvy political terms and politics of the day, it may be proper to observe, that, when a man calls himself a "whole hog," he intends to compliment himself—and if he adds, "from the snout to the tail," it means that he feels qualified for a seat in congress, and, perchance, a mission to represent the dignity of the United States at a foreign court. We once heard a person say, in the presence of his wife, "I'm whole hog, and so is my wife." But the lady, and such she really was, objected—she was not willing to be called a ——*female* hog. There is nothing new in this. We have been told that, in certain parts of Africa, after bumping the ground nine times, it is the perfection of politics to say, "your majesty's dog is crawling before you." We do not much admire this modern *hoggism* or ancient *doggism*. But—*de gustibus non disputandum*; "rewards" must be obtained, and "punishments" avoided—if possible.

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ports." The convention might as well have nullified the act of congress making compensation for "Amy Darden's stud horse"—for, having repealed her original ordinance, this law of the United States was rendered a dead letter to the people of that state—UNLESS A SOUTHERN KINGDOM OR CONFEDERACY WAS STILL CONTEMPLATED, or some other violent intent entertained, for further use, by persons that would "rather reign in hell than serve in heaven." It was an act of baby-spite—the pouting of a spoiled child, (*except as above excepted*), and reduced nullification into the meanness of a besotted faction, or cast it into the "keeping" of the Catalines of the day. Let us look a little more closely at this subject. Every "Jeffersonian democrat," in the time of *the* embargo, supported a law much more extensive in its powers, and furious in its character, than is the act which South Carolina has nullified. Aye, and the first was a much stronger constitutional case than the last, in many respects. We shall refer only to a single point, because it is that which directly bears upon the general subject to which the "sovereign right of nullification," was first applied: but must previously state—that every man who regarded the embargo laws as unconstitutional was put down, by the "democratic party," and marked as an "old tory," "apostate whig," "British refugee" or "hireling"—"monarchist," or the like.

First. There is no expressly delegated power in the constitution to lay an embargo. It is incidental, either to the power of "declaring war" or "regulating commerce"—for "the general welfare." Very few persons questioned the right of congress to lay an embargo, under the war-making power; and, while it held the character of a *war-measure*, not much was said about its unconstitutionality. But being unlimited in its duration, and uncovered by a declaration of war—and continued until the American flag had disappeared from the ocean, the phases of the law were altered, and *then* it was supported by its friends under the clause which authorises the "regulation of commerce." An ardent discussion of constitutional principles ensued. The "federalists" said that "regulation" and DESTRUCTION, were not synonymous terms!—that, as with a view to the encouragement of American industry, the constitution having forbidden the imposition of a "*tax or duty on articles exported from any state,*" it was absurd to suppose that a power existed *to prevent all exportations*, at discretion, and without limit! They insisted, that the positive denial of a power to tax exportations, shewed that the people, in adopting the constitution, had reserved for themselves an uncontrollable liberty over all exportations. But we, "the democrats," put the "federalists" down, as well through "king numbers" as by argument! We said, that the right to "regulate commerce" as should, (*in our opinion*), best promote the "general welfare" was undoubted; and there were not wanting many "sturdy democrats," who held forth concerning "our restrictive energies," and descanted upon the great benefits resulting from the improvement of our country, and its advances in prosperity, because that it was being rendered independent of foreign nations for manufactured goods, &c. and, if we are not much mistaken, some of the messages of president *Jefferson* thus encouraged us to perseverance in the embargo law—which, as a war measure, or a regulation of commerce, or as a means of promoting the "general welfare," *we* made it out clearly was both constitutional and expedient! We well remember writing a pamphlet on these subjects, which was so well approved by the "democratic republican committee," that 10,000 copies of it were published to enlighten the people of Maryland! Such an edition was not a common thing in those days. Aye, and out of that pamphlet was obtained the chief matter for two *great* "embargo speeches" made in congress—without the least credit being rendered to the humble and obscure author of it—or any admission, that certain original statistical statements were borrowed!

Secondly. On the other hand: an express power is given to congress "to lay and collect taxes, duties, imposts and excises—to pay the public debt, and provide for the common defence and general welfare." There is no limit (*now*) to this power, either concerning the imposition of taxes, or the disposition of the funds produced by them; nor ought there to be—we speak on general principles. The power to raise a revenue necessarily involves a right to disburse it. Now in this power, or in that to regulate commerce, or in both united, Mr. *Jefferson* and the "democrats"—the *Giles's*, *Macon's*, and so forth—found authority for the seizure and condemnation of British goods imported, &c. though we were not at war with Great Britain! Britain had passed certain orders in council for the *regulation of trade* with the continent of Europe—and, like the poor worm, which, "if trodden upon may turn," there existed a natural right to meet regulation with regulation; to say nothing of our proud claims to sovereignty and independence! We prohibited commerce with Great Britain—we made a law to confiscate British goods when imported into the United States—because, mark the because—Great Britain had embarrassed our trade with the continent of Europe, and restrained us from sending our flour, cotton, fish, &c. to the various nations with whom *she* was at war. This was the "democracy" of Jefferson's administration; but *now* the more lofty "democracy" of the "chivalric and generous south," *having an open market for its cotton*, deems it unconstitutional to impose protecting duties, that iron and cloth may be manufactured in America, though the British duties, as to our flour, meats, fish, lumber, and every great staple, cotton excepted, are prohibitory in their operation! The power in congress to "regulate commerce" has been stricken from the constitution—by construction; and an exercise of that power may be rightfully "nullified!"

But let us look a little more at the constitution. We have just above said that the power "to lay and collect taxes, duties," &c. is *now* without limit—that is, it is a complete power, and as strongly granted as any form of words can express. And that it was so understood by the framers of the constitution, who had a full sense of the meaning of the phrase, "TO REGULATE COMMERCE,"* is indubitably proved from the following exception, (*and the only one*) to that power, and for a limited time:

"The migration or *importation* of such persons, as any of the states *now existing* shall think proper to admit, shall not be prohibited by congress *prior* to the year one thousand eight hundred and eight; but a tax may be imposed upon such importation *not exceeding* ten dollars for each person."—*Cons. U. S. Sec.* 9, *Art.* 1.

This article alludes to slaves—though the convention was *ashamed* to put the word into the constitution; and it was a concession to the wishes of South Carolina, perhaps, at the time—for she was the only state which persevered in the importation of *live* "wool and ivory" up to the peirod prescribed.

The introduction of this clause into the constitution, as well as the manner of its matter, is very remarkable. The importation of slaves was not to be prohibited until 1808, nor a tax of more than ten dollars a head laid upon them: the power then to prohibit the importation of every other article of merchandise (!), or to tax it at discretion, was instant and full on the adoption of the constitution. If there had been any doubt concerning the power to "regulate trade," to "promote the general welfare," this *exception* should have quieted it. So it was in the beginning of man. The fruit of the "tree of knowledge" being only forbidden to *Adam*, left no doubt of his entire discretion over all the rest of the fruits of "the garden."

While thinking, then, that the original *pretence*† for nullification in South Carolina was lame, and weak, and

*We shall, at some future day, fully shew the understanding of the people of the United States, when they adopted the constitution, on this subject. *It was British regulations of trade which caused the revolution*—and the idea of a federal government originated in the necessity of so "regulating trade," that the industry of the country might be protected—else why the splendid processions of *mechanics* and *manufacturers*, celebrating the ratification of the constitution? What had they, as classes, to do with this matter? Whence the *presumption* of BALTIMORE, from which was sent the first petition to the first congress under the constitution, and it was for the protection of American industry—whence the *impudence* of the mechanics of CHARLESTON, who, almost simultaneously forwarded a similar memorial to the representatives of the new nation?

† And we solemnly believe only a pretence. It was a grasping at political power, or to arrest an apprehended change of the location of such power,—which, in our opinion, led to all the clamor in the south against the tariff. We do not believe that any "oppression" was *really* felt, because of the tariff. The gigantic advances made in the wealth of the cotton-growing states, stand opposed to this clamor. Lower Virginia and lower South Carolina are declining—but mightier causes than fifty tariffs are working out the poverty of these sections. On the

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impotent—we have concluded that the second nullifying ordinance was as well profligate as contemptible: that if there had been any seeming dignity in the "rightful remedy" assumed, the *practice* under it was better suited for an assembly of "black spirits and white," at a cross roads tavern,—than the convention of South Carolina. We think freely—and, if we speak at all, are apt to say what we think, in all possible plainness. We believe that we understand both the principle and practice of nullification—and, while yielding nothing to the argument in favor of that heresy, would resist, to the uttermost, the presumption of those who have embraced it,—aye, who tell us that the contest has only just begun, who hold themselves up in a military attitude, and still threaten these United States!—though having obtained what they regard as a triumph; which they should not have obtained with our consent. If general Hamilton would have gone "to the death for his sugar"—he might!

The "play" of the editor of the "Telegraph" upon the admission made by us, that nullification, if not a rightful remedy, "has been respected as an efficient one," is not "worth the candle." We ought not, perhaps, to have used the word "respected"—for Mr. Clay, and others who supported him, had no sort of *respect*, in the ordinary meaning of the word, for nullification—such as *regard, reverence, honor, awful kindness*, or *partial regard* We know that many who voted for Mr. Clay's bill, supremely despised nullification, in all its parts and parties. But "great effects from little causes flow." The soiling of a duchess of Marlborough's gown, once involved Europe in a general war! and simple matters of accident oftentimes make *great men* out of blockheads or knaves. Nullification has been "efficient"—*but not because of its own power*. A modification of the tariff, (which it was thought would prove acceptable to South Carolina), has been made. Had the new tariff act stood alone—it might well be said that nullification had been *respected*—"*duly respected*," as the Turk bows his head when the silken cord is presented in the name of the sultan, to strangle him; but the enforcement bill was also passed—and every body knows that no modification of the tariff would have been submitted to, at the last session of congress, had the enforcement bill failed. *And the latter might have stood alone—but for the fear of an undue or indiscreet exercise of the powers which it gives to the executive.** We feel nearly authorised to say that we *know* it was the latter consideration which powerfully influenced enough of the members, perhaps, to have defeated Mr. Clay's bill. And to the consideration just mentioned was superadded the operation of a *generous spirit*, which has not been handsomely returned by some in whose behalf it was exerted. On the expediency of the new tariff law—we frankly expressed our opinion to its honored author, a considerable time before he offered his bill to the senate. That opinion has suffered no change. On the contrary, every day's observation goes to confirm it. The reasons which induced us to oppose that bill are being rapidly developed. Partial evil may be general good—or temporary success lay the foundation of permanent adversity. But we shall not now discuss the questions involved in that law. Things are not ripe for it; and the course to be pursued on the general subject has not yet been determined. The occasion, however, is fitted to say—that this difference in opinion has not alienated any of those affections which, for more than twenty years, we have warmly entertained and steadily cherished, for one of the most honorable and highly-gifted men of the age—and perhaps also, the most cruelly calumniated and wickedly abused. We have known him long and well; but, while feeling all confidence in the purity of his motives, and paying as much deference to his judgment as any human being may rightfully ask of his fellow man—we must adhere to our own opinions until convinced that they are invalid. "Collared" persons cannot understand this. It is their duty to have *both* hands disengaged, that they may take off their hats, and hurrah on the right side or the left—as directed in "general orders." Tens of thousands were in this dignified and beautiful posture, (holding both hands up!) while a doubt remained whether the president would approve or nullify the bill for rechartering the bank of the United States—and those who hurrahed most loudly because of the veto message concerning that bank, have also hurrahed most lustily for the proclamation, though the scope and bearing of these papers are about as much opposed as the "eternal" ice of *Chimborazo*, and the "eternal" fire of *Vesuvius*. Some "philosophers," we believe, contend, however, that the elements of heat and cold are the same. It may be so—for there are many strange harmonies in things that are apparently in opposition! And, as the *instant* sensation of ice and fire is pretty nearly the same, it is enough for politicians that a seeming affinity exists for the moment—the *present* purposes being accomplished, the "collared" gentlemen have served the *turn* required of them.

The last paragraph in the article quoted from the Telegraph needs no remark except to say, God forbid that nullification should ever become a "settled principle" in this republic! That it *is* not—we well know. Twenty-three out of the twenty-four states repudiate this heresy. Even Virginia, the parent and hot-bed of state-rights metaphysicians, has cast it off. It has an abiding place only in South Carolina—and, we think, will not long endure even there. It has, however, proved itself "efficient"—but not, (as above stated), in the operation of its own power. We like it no better for that. We reject it in all its phases, and under all circumstances, and regard it as an abomination.

"A BUDGET OF BLUNDERS." We meet with the following in the "Washington Globe, *credited* to the "Georgia Courier"—

Trick. It is asserted in Niles' Register, that into the bill substituted for Mr. Clay's, there was furtively inserted a section by which certain manufactures of iron imported pay less duty, than foreign iron itself. It was not read in the senate at all; Mr. Clay having answered Mr. Grundy that he *had* compared the two bills, and found them essentially the same! "It was read by its title three times and passed, all in less than five minutes." Then Mr. Dickerson discovered the fradulent section, and complained of the violation of the compromise; but the senate refused to reconsider or strike out 17 to 8. [*Georgia Cour.*

It is not easy to apprehend how so many *mistakes* could be committed. The bill of which we spoke was *not* substituted for Mr. Clay's bill—Mr. Clay did *not* answer Mr. Grundy, nor say that *he* had compared the two bills—and we know further that Mr. Clay was *not* in the senate at the time. The latter parts of the statement in the "Courier" is true—but the bill alluded to had not any connexion with Mr. Clay's bill, except that its provisions violated the principle of the "compromise" which had just been made, in the passage of Mr. Clay's bill. It is true that the bill, if it had been *read* in the senate, would not have passed that body—and that it became a law, if

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other hand, look at Alabama, Louisiana, Mississippi, and even Georgia. The general amount of wealth, has, perhaps, been at least doubled in these states within the last eight *tariff years*. And see what is going on in Florida! A Savannah paper mentions it as an extraordinary crop, that col. Dummett, of Tomoka, Florida, recently manufactured from one acre of sugar cane, four hogsheads of sugar, averaging more than a thousand pounds each, and worth nine and a half cents per pound. The crop of this single acre will therefore bring three hundred and eighty dollars. Pretty well for Florida. Col. D's entire crop will amount to near one hundred hogsheads.

And at this time too, it should be added, as a monument to the memory of the tariff law of 1828—though it lived not long enough to develope its blessings—that, in nearly every part of the United States, a general prosperity may be said to abound—which has no parallel. A greater shew and bustle of business, may have been seen at particular periods—but safe and solid acquisitions of wealth were never before so extensively made, and in spite of unwise proceedings, on the part of the government, in many respects. The whole secret is in this—that the *excitements given to industry* caused every person, as it were, to obtain constant employment, and at liberal wages; hence mighty circulations of values, and quick passages of money from hand to hand. Suppose there are two millions of persons to whom *wages* are paid for labor performed, and that the present average is only 50 cents per day—cast one half of these out of employment, or, because of excess of labor, reduce their compensation to 25 cents, and the difference of the values earned and circulated is in the enormous sum of seventy-five millions a year! We beseech reflecting men to examine into this matter. Here is the true cause of the general prosperity that prevails—*and which ought to be sustained.*

*The enforcement bill was necessary, as the majority thought, to vindicate the constitution, and prevent such excesses as had been contemplated, and provided for, by South Carolina—but with that vindication, many believed, it was prudent, *and for the reason stated*, to withdraw from South Carolina every pretext for perseverance in her measures—and so practically "nullify" a *present* use of the enforcement law.

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not by "fraudulent" intention, in what may be esteemed [almost] criminal carelessness, and *four-o'clock-in-the-morning* legislation.

American nankin—a valuable article, manufactured from cotton raised on the estate of Mr. Forsyth, one of the senators of the United States from Georgia, is offered for sale, in considerable quantities, by Mr. Nathaniel F. Williams, Baltimore. The cloth being of the natural color of the cotton, is said to be only changed for the better by washing. It becomes a little more lively, but does not fade. It is a valuable acquisition—and, as a joint product of *southern* agriculture and *Yankee* manufacture, we hope will meet with the protection of the *American* people.

The expenditure of the government of the United States in the current year, we are informed, will amount to twenty-one millions of dollars—and it is thought that no great "surplus" will remain. A gentleman says it is within the range of possibilities that a loan may be asked of the bank of the U. States.

"The Cabinet." It is strongly reported that Mr. *Livingston* will soon retire from the department of state, to represent the United States at Paris—that Mr. *McLane* will succeed Mr. Livingston, and *William J. Duane*, of Pennsylvania, take Mr. McLane's place, as secretary of the treasury. It is also *said-and-said* that Mr. *Cass* will leave the war department—and if so, several gentlemen are mentioned for his successor.

Relations with France. It is stated in the Pennsylvanian, that the bills drawn by the government of the United States on France, in pursuance of the treaty of indemnity, have been dishonored. No why or wherefore is yet given. Perhaps the report is not well founded.

United States bank stock. The New York Daily Advertiser, of Monday, says—"The operations for deliveries of this stock have been so great recently, that those short are desirous of borrowing, and are willing to advance one hundred and ten per cent. without charging any interest, rather than purchase at the present rates, which is an evidence that the stock is scarce."

The cholera. This disease is said already to have disappeared at *Key West*. It was making terrible ravages in *Guatemala*—the greater part of one of the battalions had died.

Letters from Havana of the 7th April say that the cholera had nearly disappeared. The whole number of deaths since the 26th February, were put down at 14,935—or about one-tenth of the whole population! The disease was spreading in the country.

A letter from Matanzas dated April 19, says—"The cholera is raging here with much fury; it is impossible to form any correct opinion of its ravages, although I have endeavored to do so—I even question whether the government itself has the returns of the number of interments; of the number of cases I know it has not, for I heard one of the most eminent physicians say to-day, he had not had time to report for a week past. Business is almost paralized, and all who could leave the city have done so; there are some cases in the country, some plantations having suffered severely.

"Two cargoes of slaves, (over 1,000), arrived a few days since; one of them landed her cargo south of this, (Matanzas), on the other side, *all of whom died*, although landed in perfect health; and the other, a few leagues to the leeward of this, the most of whom are dead, and the residue dying.

Louisville, Ky. April 22—We have understood that there have been a number of cases of cholera on board steam boats on the Mississippi. We learn that there were seventeen cases on board the Tobacco Plant, the greater number of which proved fatal.

New York. A law has just been passed by the legislature of this state to tax the debts due to non-residents. We consider this a great mistake in political economy, but shall be glad to find that, like a king of England, we have "erroneous views of things." We have not seen the law—but must suppose that it is altogether prospective.

That great building, the City Hotel, in New York, was much damaged by fire on the morning of the 25th ult. It broke out about 10 o'clock, in the attick, and the height of the building, and other causes prevented immediate action against the flames—but their progress was arrested, and the three lower stories uninjured, except by water. There was a long and fearful anxiety for several persons who were on the roof. Their retreat was cut off by the fire—and, at great hazard, they were compelled to descend by a rope which was happily thrown to them.

This establishment is owned by J. J. Astor, esq. and occupied by Mr. Jennings, at an annual rent of $9,000. In two days after the fire, the business of the hotel was going on as usual.

Another great fire happened in New York on the 28th, on Gold street—and fifteen buildings were speedily destroyed, or much injured.

Eight acres of houses! In the night of Tuesday last, at 11 o'clock, a fire broke out in the extensive stables of Messrs. Kipp & Brown, at the corner of Hudson and Bank streets, *New York*. It extended on Bank, Hammond, Greenwich and Perry streets—and the American says that all the houses which stood on *eight acres of ground* are destroyed with 41 horses, many stages and other carriages, and a great amount of household furniture, goods, &c. The buildings consumed, or materially damaged, are from 130 to 150—more than one-half of which were brick, and their loss is put down at 250,000 dollars. There was no want of water—but the vast quantity of hay and straw, and other combustibles, with which the fire started—put it out of the command of the firemen. It is positively said that this calamity was effected by a female, in revenge for some affront which she had received! Large quantities of goods which had been removed to supposed places of safety, were consumed, by the rapid spread of the fire.

Girard college. The treasurer of the Girard trust has acknowledged by letter to the city councils of Philadelphia, the receipt of *two millions of dollars* from the trustees of the Girard bank, to be appropriated to the erection of the Girard college.

The architect of the college has estimated the expense of the plan adopted for the buildings at $900,000, $700,000 of which will be expended on the principal building, and $200,000 on the out buildings—and that six years will be required to complete it.

It is further estimated by the committee, that there will probably be no necessity for encroaching upon the capital of the fund for the erection of the building. From the gradual progress of the work as projected, it is believed that the annual interest will be nearly, if not quite sufficient for the buildings.

The erection of the new college will be modelled after the banking house of Mr. Girard,—the old United States bank, and the whole building will, in the opinion of the committee, "remain a lasting monument of his fame, as well as a model of architectural beauty."

Baltimore. The corner stone of St. James' church, was laid on Wednesday afternoon at the corner of Monument and Aisquith streets, by the most reverend archbishop *Whitfield*. We understand that this building, for the further accommodation of persons of the Roman Catholic faith, will be erected at the sole expense of the archbishop, and when completed will add much to the embellishment of that section of the city.

From Charleston. Four companies of U. S. troops had left this city for Fortress Monroe, and two others were embarking with the same destination. One company had also sailed for New York. Col. *Bankhead* had relinquished the command of the troops in the harbor to major *Heileman*. And the war in this quarter is supposed to be at an end—for the present.

Virginia. Mr. Loyall has been elected to congress from the Norfolk district, because of the addition of the Isle of Wight to it, under the late apportionment of representatives. The old Norfolk district stood thus—For Mr. King 1,225, Mr. Loyall 1,146; but Isle of Wight gave Mr. L. 282 votes against 36, and elected him by a majority of 167.

The Whig gives the following list of the members elected:

John J. Allen,* William S. Archer, William F. Gordon, Jos. W. Chinn, Charles F. Mercer, John Y. Mason, Edward Lucas,* James H. Beal,* Andrew Stevenson, Saml. McDowell Moore,* George Loyall,* James H. Gholson,* John Randolph,* Thomas W. Davenport, William P. Taylor,* John M. Patton, John H. Fulton,* William McComas,* Nathaniel H. Claiborne—To be heard from, the Ohio district, (in which Messrs. Wilson and Morgan are candidates), and the Accomac in which Messrs. Coke and Wise are candidates.

[The Ohio district has been heard from—and Mr. Wilson, a national repulican, is elected.]

Those marked thus* are new members.

According to the Whig, it is not easy to determine the *politics* of the members elect—and says: "Jackson or anti-Jackson, seems to be rather antiquated, though the Globe *insists* upon regarding that test, and that *only*. If it is still of that mind, we must ask of its condescension to inform us, how we are to class Messrs. Patton, Gordon, Gholson, Randolph, Davenport, Taylor? Are they Jackson men or not? Messrs. Allen, Mercer and Moore [and Wilson] are not and never were. If we adopt the *proclamation* as a test, Messrs. Patton, Gordon, Gholson, Randolph, Davenport and Taylor, are unequivocally opposed to it. To these we presume Messrs. Archer, Mason, Chinn, Claiborne, Loyall and Lucas may be added; or if more agreeable to the Globe, they may be ranked as disapproving some of its abstract doctrines, and approving others. We beg those gentlemen's pardons, if we have mistaken their sentiments through ignorance.

"The unsettled state of politics may be inferred from the difficulty, if not impossibility, of classifying gentlemen so conspicuous as to be chosen to congress. No wonder the people are befogged."

The editor of the Richmond Enquirer, having been harshly spoken of by Mr. Randolph in one of his recent speeches, in the last number of that paper, says—

"We owe our acknowledgments to Mr. John Randolph for several favors of this description. The time may come, when we shall return the debt with interest. He has calumniated us—but how, could we expect to escape his remorseless vengeance? Why should he who has abused so many others, have

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spared ourselves? Or, how could we, who despise his avaricious spirit, and his unblushing rapacity of the public money, have calculated upon his forbearance?"

In another place, in the same paper, he says:

"A man who has sinned against his own conscience, and sunk himself in the opinion of all honorable patriots, by plunging his arm into the public coffers, and disgracefully feeding in the public crib, may falsely charge us with looking only after the loaves and fishes.* We scorned to justify *his* rapacity—and the inextinguishable resentment which we have provoked, may now vent itself in the bitterest and the most unfounded reproaches. We defy them all—all—*from the low*, needy sycophant of John C. Calhoun, who is paid by the column, by his employer, to do his dirty work—or, from him, whose conscious soul shrunk abashed from the light of day, and caused him to appear like a guilty thing, in a convention of his fellow citizens—*up* to him who, "condemned to have an itching palm," could stoop to

——Sell the mighty space of *his* large honors,
For so much trash as may be grasped thus."

This is "awful." The "nuisance and the curse" that was—became a blessing, and has returned into a nuisance again! No man has such a happy knack of reforming angels of darkness into children of the light, or of transforming demi gods into devils, at his own sovereign will. But why quarrel with the philosopher of Roanoke because that he so greedily put his paw into the treasury chest? Why not rather blame those who permitted the plunder?

Rise of lake Erie. For the last several years, the rise of water in the lake has made serious encroachments on its southern shore in many places. For a considerable distance above the mouth of Black river, the banks of the lake are low and without rock. Twelve years ago, the bank was generally sloping, with a wide beach. Now the waves beat against a perpendicular bank, which from continual abrasion is frequently falling off. From one to three rods in width are worn away annually. The phenomenon of this rise of waters, remains unexplained. [*Ohio Atlas.*

Lehigh coal. The managers of the Lehigh coal company, have determined to deliver coal during the coming season, by the cargo, on board of vessels, at the company's wharves on the Delaware, at $5 50 per ton, when from 50 to 300 tons are purchased—at $5 25 per ton, when from 300 to 1,000 tons are purchased—and at $5 when more than 1,000. For any order not exceeding 100 tons, payment to be made on the 1st of November, 1833—above that quantity, one half on the 1st of November, 1833, and the other half on the 1st of January, 1834. In case vessels take in coal at Bristol, they will be towed up and down at the company's expense.

Munificent charity. Col. Thomas H. Perkins, of Boston, has presented the following donation to the New England Asylum for the blind. Truly the spirit and liberality of such conduct is above praise:

"I give the house in which I reside, as a permanent asylum for the blind, upon the conditions expressed below. As the house is fifty feet square, and the adjoining land contains nearly eleven thousand feet, it will furnish accommodation for all the persons who may be thrown upon our community at one time; and as the stables are of brick, and substantially built, they may, if required, be converted into dormitories. The conditions I annex to the gift are as follows, viz:—The house and land shall always be occupied as an asylum for the blind; and in case the present mansion should be destroyed by fire, it shall be rebuilt for the same purpose; or in case it is not rebuilt, within three years after being destroyed, the land shall revert to my heirs at law.

"I value the estate at $30,000; but as a house, whatever be its value, is of comparatively little use without the means of supporting those who are to inhabit it, my second condition is, that $50,000 shall be raised to form a fund for the support of the establishment; hoping that it may be increased by donation hereafter, by those who are at present unable to afford their aid. Another condition I shall exact by the terms of the deed, which I shall give, is, that in case the corporation for the blind should cease, the estate shall revert to my heirs at law—hereby making it obligatory upon posterity to keep up the establishment, to avail itself of my donation."

☞ Mr. J. P. Cushing, of Boston, has given 5,000 dollars, in furtherance of the above magnificent project—and two other gentlemen are named that would give the same sum. It is probable that the amount will soon be made up, so much for "Yankee notions" and "wooden nutmegs."

The secretary of the navy. There has been a difference of opinion (our readers are aware) as to the real object of the mission of the secretary of the navy to the south-west. We get entirely new light on the subject from the administration paper at Louisville. His tour is, it seems, in some degree at least, connected with a counteraction of the supposed influence of the abolition of slavery in the British West Indies. Among all possible objects of the secretary's journey, we certainly never should have guessed at this. [*Nat. Intel.*

*John had said that *Thomas* was a man of *seven principles*—"five loaves and two fishes." [Editor.

From the Louisville Public Advertiser.

The reply of lord Althorp to the inquiry of the marquis of Chandos, as to the probable course of the British ministry with regard to the abolition of slavery in the West Indies, indicates that such a measure is seriously contemplated. If adopted, its bearing on the condition of the southern states of this union must be speedily felt. *The executive is fully aware of this*, and we do not doubt that *steps will be be taken to counteract the influence which it is supposed the English project will necessarily have.*

We are inclined to believe *the southern tour which the secretary of the navy is now making, is, in some degree, connected with this subject.* An increase of our naval force on the southern coast may be required; the harbors at Pensacola and Key West may need improvement, and other points may be selected, possessing equal or greater advantages, for naval stations.

An affray at Economy, Pennsylvania. *From the Pittsburg Manufacturer*—

"We learn that a serious affray occurred among the Germans living at Economy, eighteen miles below Pittsburg, and those at Phillipsburg, in Beaver county. It appears that the assailants were composed of persons who were formerly members of the Economy society, but who seceded with the celebrated German adventurer, Barnard Muller, (but better known here as count de Leon), at their head, and settled themselves at the town of Phillipsburg, which they purchased of Messrs. Phillips and Graham, and partly paid for. We know not the exact cause of this serious affray which occurred between the members of these two societies, but believe it arose from the division of the property consequent on the secession of the followers of count de Leon. In the affray many serious wounds were inflicted by both parties; and but for the timely arrival of the sheriff of Beaver county, lives would probably have been taken by the excited combatants. Several of the Leonites or Phillipsburg members, have been arrested and imprisoned in Beaver county jail. We therefore suppose a legal investigation of the matter will take place, which we shall give to the public.

☞ The "Pittsburg Gazette" with reference to the preceding, says—

A gentleman, residing in Beaver, related to us, a few days ago, an anecdote which pleased us much. At the time of the late disturbance in Economy, the people near that village collected in considerable numbers to preserve order and to suppress any violence which might be attempted. Among those thus assembled were *some*, known not to be very friendly to the Economites, and yet, these persons were as ready and willing to interfere as were the warmest friends of Mr. Rapp and the society. The assailants were much surprised at this, and some of them exclaimed—why do you take the side of the Economites; we know that you do not like them? "It is true," replied the men thus appealed to—"it is true that we do not like the society, but we *take the side of the law.*" The Germans could not understand this kind of abstraction. They expected that the yeomanry of the surrounding country would make the matter entirely personal, and *take sides*, according to their respective predilections.

The ant bear. *Salem, (Mass.) April 22.*—Monsieur Buffett, a distinguished French naturalist, arrived this morning in the Clio from Rio Grande, has a rare and valuable collection of birds and quadrupeds. He has spent several years in travelling through the states of South America, particularly Brazil, and in his researches has discovered much to add to the cabinet of the ornithologist. Among the quadrupeds on board the Clio is a female ant bear, or ant eater. This animal is seldom, if ever, seen in this country, and we believe this is the second one that has lived to reach here. It is about seven feet in length and two high, and is perfectly harmless, although it has strength sufficient to master a tiger. When she lies down to repose, her tail serves as a shield from the weather, it being large enough to cover the whole body—when viewed in this situation, she resembles a straw mat spread on the ground. Its food consists entirely of eggs. [*Essex Register.*

Jamaica. The Cornwall Chronicle of the 30th March has an article which states that a full meeting of magistrates took place on the 25th March, when Mr. Murray, the Wesleyan minister, and Messrs. Abbott and Nicholas, Baptists, were summoned to attend. They were required by the bench to enter into securities *not to preach*, or to hold meetings for that purpose. Upon their refusal to comply with the requisition, they were sent to the county jail.

INSURRECTION IN FORMOSA.

From the Canton Register, of December 20th, we derive the following particulars of the insurrection in the island of Formosa. It appears to be of a formidable character.

The insurrection commenced near Chang foo-heen about 40*le* from Tae-wan-foo, (the capital of the island) where twenty six mandarins, great and small, together with about two thousand men, were killed.

The inhabitants of the western side of Formosa are natives of the island: Chinchew men, and Canton men; and the affray originated about five peculs of yams, which some Chinchew vagabonds took away from some of the resident Canton people, who immediately applied to the heads of the village where the

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plunderers lived, and received redress, but thinking that by applying to the Chang-hwa-heen they might prevent a recurrence of similar outrages, they did so, and the Chang-hwa-heen directly called upon five of the heads of families, and demanded money to the amount of 1,000 dollars each, the payment of which they resisted alleging that the affair was already settled.

To this he lent a deaf ear, keeping them in prison till the money should be paid. When they had been thus, for seven or eight days in confinement, finding them untractable he raked up a stronger charge against them, calling upon them to produce a Ladrone, who had escaped, and who could not be found. The head men concerned, exasperated at this unexpected demand, sent to the village privately, and offered a reward of 1,000 dollars to any one who would kill the Chang-hwa heen. The villagers listened to the proposal, and in open day attacked the house of the officer, killed him and his attendants. The Taewan-foo, hearing of the affair, went in person, attended by about five hundred soldiers, when he was attacked, killed and all his force destroyed. Several other bodies of troops advanced, under various officers and were also beat off with great slaughter.

When the last accounts left, the Ching-tsung-pingkwan was missing; the city of Tae-wan-foo in the possession of the Taewan-tae-yay, and about 30,000 men hired for the occasion. The villagers under the five head men; were advanced against it more than 50,000 strong. From Amoy, 5,000 troops had embarked for the island under the land and water Tetubs. So the affair rests for the present.

YANKEE WIT.

The following is a capital and fair "hit," at certain things which have lately happened:

DINNER TO MAJOR JACK DOWNING—EXTRACT OF A LETTER FROM DOWN EAST.

It affords me much pleasure to be able to send the first account of the civic honors conferred on this illustrious chieftain, who has been so instrumental in bringing to a glorious and bloodless termination the war of the straddlebugs.

On the arrival of major Downing at the barrier of slabs and upturned roots which forms the eastern line of Harrysuki, and is now the suburbs of Downingville, he was met by a committee, the chairman of which, squire Joshua Grant, addressed the major as follows:

"Major Downing! Penetrated with the profoundest feelings of respect and gratitude, your fellow citizens of Downingville and of the region round about, have directed us to meet you at the threshold of your native city, rendered illustrious by your deeds of arms, and in their name to welcome and congratulate you on your safe return, after the perils, fatigues and hair breadth escapes encountered by you, alone and single-handed, in meeting the whole chivalry of South Carolina, with brigadier general Hamilton at the head, and ensign Frost at the tail;—sustaining the honor of knighthood unsullied; compelling the enemy to retreat beyond the reach of his own voice; out-bragged him at all points; and finally causing him to lick the dust, and cry peccavi!—thus shewing to all Europe, Asia, and a pretty considerable part of Africa, how much can be done by one man when he is in earnest! We, therefore, invite you in the name of your fellow citizens in general, and your military copatriots in particular, to partake of a public dinner now "being cook'd," and in all probability (unless the devil is in the pot) will be ready in two hours from this time."

To which major Downing was pleased to make the following laconic and characteristic reply:

"Gentlemen! No more palaver, but let us prepare for action—some bitters—and while the punch is brewing I will take a julap, and then to dinner with what appetite we may."

At one o'clock, the company sat down to a sumptuous repast prepared in captain Zebulon Tripe's best style. After the cowcumbers were removed, the president, general Flash-in-the-pan, rose and addressed the company in substance as follows:—Fellow soldiers and fellow citizens: citizen soldiers and soldier citizens! one and all please to fill a bumper to the man that's filled the gallon pot of his country's glory, and is ready to do it again and again if so be his country's glory should again be dry: are you all filled?" "I rather guess not," said lieutenant Spare-ribs—who like somebody of old grew hungry on what he fed on. The president not hearing or not heeding the lieutenant's reply, gave "Our guest—if Trajan found a Pliny, major Downing shall not lack an historian, nor brigadier Hamilton a bellows blower."

9 cheers—music "The Campbells are coming."

Major Downing arose amidst a thunder of applause, and with that peculiar winning, modest, retiring manner, and subdued tone, said: "Mr. President and gentlemen! little did I think when I left my native hills to meet the wishes of the hero of three wars (since the war of nullification is ended) little did I think that in the short campaign of six months such a change would be wrought in the destinies of the world! When I left you, all was dark and dismal despondency. The tariff, that terrible monster, was abroad like a roaring lion, seeking whom he might devour—all was going to wreck and ruin. The sun never rose till noon-day, the moon hid her pale face behind a nullification cloud which grew thicker and thicker and thicker, until my arrival at Washington, when on the 10 of December, anno Domini 1832, Andrew Jackson and myself issued a proclamation which dispersed the cloud and produced (if I might be allowed so to say) a day of political Pentecost; when Parthians and Medes, Elamites and dwellers in Massachusetts, were all amazed, saying one to another 'what is this we hear? *our own tongue wherein we were born!*' A truce was sounded by squire Calhoun, and a nine years armistice agreed to by and between the keeper of the nullys and the keeper of the tariff, by which it is agreed that the tariff is to go at large, having one inch of his tail cut off every year for eight years, and then the whole to be clipped close to the rump, provided they can hold him to perform the operation. Thus you see, fellow citizens, how all our difficulties are settled to the satisfaction of every body, and the tariff is now as tame and as harmless as a pussy cat—even before one inch of his tail is curtailed."

The major concluded his very animated remarks by proposing very magnanimously—the health of

Governor General Hayne,
Brigadier General Hamilton, and
"Ensign Frost!"

Wo to the Yankee who has his *sauce* out when *such* a frost comes on!

Song—"*Twenty thousand volunteers* all in a row."

Several other speeches and "volunteer" toasts were uttered, but I have not time to give them in regular order, but hope to have them prepared and revised by the authors, to send you next mail.

One of the invited guests, being "a stranger of distinction."

"Down East," April 10th.

THE GEORGIA GOLD REGION.

Charleston, April 16. We have received the first number of a new weekly paper, called "The Western Herald," published by O. P. SHAW, and edited by A. G. FAMBROUGH, at the village of AURARIA, in the gold region of Georgia.

The village of Auraria is situated on the ridge dividing the waters of the Chestatee and Etowah rivers, in Lumpkin (originally Cherokee) county. This melodious and appropriate name was adopted on the suggestion of Mr. Calhoun, when at his mines in the neighborhood, last November.

The first cabin was erected in Auraria about the first of June last, by William Dean, esq. who was followed by Nathaniel Nuckolls, esq. who opened a house of entertainment for the accommodation of those disposed to examine for gold in the surrounding country, and soon had it crowded. Around this nucleus a population soon gathered, composed of all classes and conditions of the human family, and there is now in Auraria one hundred family dwellings; eighteen or twenty stores; twelve or fifteen law offices, and four or five taverns, &c.

The town population is estimated at one thousand, and that of the county at ten thousand, and constantly increasing with a rapidity almost too incredible to relate.

The Indian population is small; their right of occupancy to the soil having, in most cases, been extinguished previous to the survey and distribution of the country.

The mines already drawn in the vicinity, (not involved in litigation) are yielding to the proprietors in rich abundance, the anticipated fruits of the most sanguine speculator.

The price of gold in Auraria is from 85 to 92 cents per dwt. according to its fineness; that collected in the neighborhood will average 90 cents, when well cleansed; when fluxed and run into bars, 92 cents.

Mr. McCollom, late of Tennessee, has constructed in the neighborhood a boat with a diving bell attached to it, for the purpose of raising gravel and collecting gold from the bed of water courses. The "Herald" gives the following account of "golden specimens" found in the vicinity.

"A. McLaughlin, esq. of our county, exhibited to our inspection, a few days since, a specimen from his mine, weighing upwards of forty dwts. supposed to be four-fifths gold, the remainder rough sand, which, from every appearance, must have been cemented to the bulk by heat at the time of its formation.

"Col. D. C. Gibson has also brought us a specimen taken from the bed of the Chestatee river, on the lot owned by himself and col. Calhoun, weighing nine lbs. and three oz. with one hundred and twenty-four particles of gold upon its surface, plainly perceptible to the eye.

"On gen. Lawhon's lot in Cherokee county, we understand that a piece of pure gold was found last week weighing upwards of thirty dwts."

BLACK HAWK AND THE PRESIDENT.

From the Globe of April 27.

Black Hawk and his son, the Prophet and his son, and the other Indian hostages surrendered under the late treaty, waited on the president yesterday, to receive his orders. The president met them kindly. He directed the articles of dress provided for them to be exhibited to them, and told the principal chief that the whole would be delivered to him to be distributed, with a view to their common comfort—that they must repair immediately to Fort Monroe, and remain there contented, until he gave them permission to return to their homes—that the term of their detention depended upon the conduct of their respective tribes—and that they would not be restored to their families until it was ascertained that the stipulations of the treaty had been complied with by their people, and all the bad feeling which had led to the bloody scenes on the frontiers banished.

The Prophet replied to the president, and said, that they expected to be permitted to return immediately to their people; that the war in which they had been involved, grew out of their

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attempt to raise provisions, where they supposed they had a right to do so; that they had lost many of their people, as well as the whites; that their tribes and families were now exposed to the attacks of their enemies, the Sioux and Menominees, and that they hoped to be permitted to return to take care of them.

Black Hawk added to the remarks of the Prophet, that they considered that, like Keokuck, they had come to visit the president, and, like him, would be permitted to return to their homes. He entered into some brief explanation of the cause of the aggressions on the frontier.

The president told them, in conclusion, that he was well apprized of the circumstances which led to the disasters alluded to—that it was unnecessary to look back to them—it was his purpose now to secure the observance of peace—to prevent the frontiers from being again stained with the blood of its inhabitants, the peaceful and helpless—that they need feel no uneasiness about their own women and children, they should not suffer from their enemies, the Sioux and Menominees. He meant to compel the red men to be at peace with each other, as well as with their white neighbors—that he had taken measures with this view, and when it was ascertained that they were effectual—when the tribes had learned that the power they attempted to contend with, was equally able and disposed to protect the peaceful and to punish the violence of aggressors—when his information assured him that their people in particular, were convinced of this, and were disposed quietly and in good faith to observe the terms of peace granted to them, then they would be restored to their families. He then gave his hand to the chiefs and dismissed them.

Black Hawk is not an ill-looking man—his countenance is intelligent, and not savage. The prophet, we think, has more the look of the mischief maker, and, indeed, he assumed to be the principal in the interview with the president. He was, we suppose, the instigator of the massacres perpetrated on the frontier. His utterance and manner, as well as his countenance, indicated a dark and ferocious character.

SPERMACETI WHALE FISHERY.

From the Nantucket Inquirer, of March 9.

For the following statistical views in relation to the spermaceti whale fishery, we are indebted to a merchant of this place, who has carefully compiled them from the most authentic sources. We believe it to be the only accurate account yet published, of the importations of spermaceti oil, at the various ports of the United States during the past year; and of the exact number of vessels actually engaged in the fishery at the commencement of the current year.

By comparing the importations of spermaceti oil in 1832, with those of the preceding year, it will be seen that the supply was diminished more than 25 per cent.

Produce of the spermaceti whale fishery in 1832.

Imported in Pacific ocean ships at N. Bedford and		Fairhaven,	30,476	bbls.
Do.	do.	Nantucket,	30,450	do.
Do.	do.	Newport,	4,120	do.
Do.	do.	Plymouth,	2,120	do.
Imported in Brazil ships,		New Bedford, - -	5,550	do.
Do.	do.	Nantucket - - -	407	do.
Do.	do.	New London, - -	703	do.
Do.	do.	Sagharbor, - - -	1,000	do.
Do.	do.	Bristol, - - - -	200	do.
Do.	do.	Warren - - - -	223	do.
Sent home by outward bound ships,		- -	2,000	do.
Taken in Atlantic ocean by small vessels,		- - -	1,750	do.
Total import of 1832,		- - - - - -	78,999	bbls.
Import of 1832, 107,751 bbls.—deficiency,		-	28,753	bbls.

At sea from the United States, employed in the sperm. whale fishery, Jan. 1, 1833, 203 ships and barques, viz:

From New Bedford and Fairhaven, 90; Nantucket, 57; New London, 10; Bristol, 10; Warren, 5; Edgartown, 5; Falmouth, 5; Hudson, 4; Newport, 4; Plymouth, 2; Salem, 2; Fall river, 1; Portsmouth, 1; Poughkeepsie, 1; Rochester, 1; Wareham, 1; Dartmouth, 1; Holmes' Hole, 1; New York, 1; Sagharbor, 1—Total 203. Of which 8 sailed in 1829—48 in 1830—70 in 1831, and 77 in 1832.

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A very important statement concerning the whale fishery is inserted in the volume of documents which issued from the New York convention of the friends of domestic industry. Among other things, it shews the quantity of sperm. oil imported from 1816 to 1830, inclusive. The quantity in a year is very uncertain—for instance, in 1826—32,840 bbls. in 1827—93,180; in 1828—73,077; in 1829—79,840; and in 1830—106,829.

This business consumes 30,000 bbls. of flour, and 30,000 bbls. of beef and pork, with great quantities of staves, iron, cordage and lines, duck, &c.

Of the common whale oil about 120,000 barrels were imported in 1831.

The whole number of ships employed, in both fisheries, is about 400—their value $7,500,000, and that of the annual product, one year with another, $3,500,000; and in all requiring not less than 80,000 barrels of flour and beef and pork, annually, 10,000,000 staves, and a vast amount of other lumber, timber, &c.

"Free trade" England imposes a duty of 5s. per tun of 252 gallons, on (right) whale oil, and of 8s. 3d. on sperm. oil—if imported in British vessels, manned with British subjects, being British caught—but of £22 3s. 4d. and £34 18s. 3d. if American caught, and imported in American vessels.

INTERNAL IMPROVEMENTS.

In our collection of pamphlets, there is one published at Baltimore in 1825—recording the proceedings of "the [Maryland] state convention, on internal improvements," &c. with an "appendix, containing the views of *Thomas Ellicot*, esq." which latter so much accords with our own opinions on the general subject, and are so important in this AGE OF VETOES, that we are induced to make a liberal extract—as follows:

"If it be an axiom that labor is the source of wealth—that the most fertile lands possess no intrinsic value, unless labor be united with them in producing those commodities which add to the convenience and happiness of man—the richest mineral productions of nature have no intrinsic value, unless labor be applied to convert them into convenient form for use; hence a country abounding in the most fertile soil—all the various mineral productions—the finest rivers and water powers for prosecuting the mechanic arts—with a varied and highly genial climate, may be so poor as not to afford a comfortable subsistence for a single individual; because the absence of labor prevents the bounties of nature from being called into action to supply the necessary wants of human life.

"All plans, therefore, which are calculated to produce the application of labor, to bringing into operation those latent bounties of nature, which, but for labor, would remain in the bowels of the earth, are plans that are highly worthy the consideration of political economists, and are legitimate objects for the exercise of sovereign power.

"It is a principle in political, not less than in domestic economy, that when the expenditure exceeds the income, poverty must ensue. A nation can no more sustain, in fact, a balance of trade against her, for a long time, than can an individual. Though an individual may own tracts of the finest lands, if he neglect, either directly or indirectly, to apply labor to cause them to produce the commodities that will supply, not only such of his wants as they are capable of, but in addition to this, also, a surplus sufficient to exchange for such commodities as his happiness requires, and which his own domain will not produce: such an individual may exist, but his reasonable wants will not be supplied; he can neither bear his portion of public burthens, nor educate a family in such way as shall preclude the certainty, that a few generations only will elapse, before such family will have sunk into barbarism. A community thus circumstanced, would, by parity of reasoning, pass few generations before it would become semi barbarian.

"If an individual should possess an island so remote from the other parts of the world, that the produce of his fertile soil, brought forth by the most judicious application of labor, will not bear the expense of transportation, to effect an exchange for articles produced in other parts of the world, and which are necessary to supply his reasonable wants, his labor would be lost; his fertile soil without value, and he miserable. No stimulus exists to labor beyond the amount necessary to sustain life, and he dwindles from a useful member of a social community to a drone, existing in common with other animals, by the same means, upon the common air.

"Thus the United States, extending over a region containing every variety of climate and soil; every where irrigated with the purest streams; with a population unequalled, for industry, intelligence and enterprise, spread every where over her territory may, nay, must become, in a few generations, less industrious, less intelligent and less enterprising, if labor shall continue to receive no reward, owing to the expense attending the transportation from the grower to the consumer.

"If a barrel of flour shall be worth, in the island of Cuba, seven dollars, and it will cost to the grower of the wheat, seven dollars to transport the flour from the place of its production to Cuba, he will receive no reward for his labor: but, if a barrel of flour will sell in Cuba for seven dollars, and the grower of the grain can convert it into flour, and transport it to Cuba for five dollars, he will receive a reward of two dollars for his labor.

"Under such circumstances, labor is most valuable near the seaboard; because the expense of transportation from the producer to the consumer is less—a scale may be graduated from a point on the seaboard where labor is most valuable, to a point in the interior of the country where it is of no value, as a means of producing wealth.

"For instance, suppose a ton of iron in England be worth fifty dollars, and the freight even in a foreign vessel, will cost four dollars; if this iron be produced in Baltimore county, Baltimore county will gain forty-six dollars for that which cost nothing but the application of labor upon inert matter, for neither of which she would have received any thing but for the market afforded in England. But if the ton of iron is to be sent from Pittsburg to England, the cost of transportation from Pittsburg to Baltimore must be also deducted from the English price; which would be so great that there would be no reward left for the labor required in converting the mineral into malleable iron; it would therefore not be produced at Pittsburg; both the mineral and labor would be of no value at that place.

"A ton weight of superfine flour may be worth at Baltimore, for exportation to foreign countries, fifty dollars, while at the distance of two hundred and fifty miles from Baltimore, in the

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interior of the country, it will be worth nothing for exportation, because by the ordinary means of transportation, even on good turnpike roads, it will cost fifty dollars to transport it to Baltimore. The soil, therefore, must remain unoccupied, because the husbandman can receive no reward for his labor—and the nation will be none the richer for possessing both land and labor, at the distance of two hundred and fifty miles from the seaboard, unless the value of agricultural products shall increase in foreign countries, or labor be diverted to other objects than the growth of grain.

"The expense of transportation on the most perfectly constructed turnpike road, per mile, will be nearly as follows, viz:

"For twenty miles, which is a day's travel, it will require, to carry two tons, six horses and one man—

Six horses at 75 cents per day, each, is	$4 50
One man at 75 cents,	75
Making	$5 25

"Which, divided by two, will leave, for transporting one ton, $2 62½ for twenty miles, which $2 62½ divided by 20, will make the cost of transportation of one ton, one mile, 13⅛ cents.

"The expense for transportation by a good canal will be as follows, viz:

"For twenty miles, which is a day's travel, it will require to carry twenty-five tons, one horse, one man and one boy—

One horse at 75 cents per day - - - - -	75
One man at 75 cents per day - - - - -	75
One boy at 50 cents per day - - - - -	50
Making together	$2 00

"Which, divided by 25, the number of tons, will give 8 cents for transporting one ton twenty miles; which 8 cents, divided by 20, will give less than half a cent per mile for a ton weight.

"In this calculation there is no charge for wagon or boat; nor is there any charge for toll, because these would be nearly equal in either mode.

"Let it, however, be assumed as a fact, that the cost of transportation on a road is twenty cents per mile, exclusive of tolls, for each ton weight; it will appear then that a ton weight that is worth fifty dollars on the seaboard, is worth to the producer of the article one dollar less at the distance of five miles therefrom, and so on for every five miles as he recedes into the interior of our country; until at the distance of two hundred and fifty miles, it is worth nothing with the ordinary means of transportation.

"It will then follow that all the labor which the population of that portion of our country which is situated two hundred and fifty miles or more from a shipping port, with all the fertile lands equally distant, are worth nothing, as a source of national wealth, if the labor can only be employed in agricultural pursuits, or in the production of articles of no greater value than wheat; because there is no inducement to employ labor, which is the mother not only of individual, but of national wealth.

"The demand for the produce of our soil, it is true, may become greater than it now is, or has been for the last seven years; and consequently, the value be increased on our sea coast, so as, at times, to extend the limit beyond two hundred and fifty miles, from which the great staple of the middle states may be exported; but this will not alter the principle: the relative value of land and labor will remain the same, agreeably to the scale of distances stated—for, admitting that a foreign demand shall increase the value of a ton of flour to double of its present value, or one hundred dollars at the port of exportation, the same article would be worth nothing, as an article for export, at the distance of five hundred miles from such port.

"Having now, as I suppose, established the premises, that neither labor nor land, with the ordinary means of transportation, are of any value as a source of national wealth, during the present pacific state of the world, at a distance of two hundred and fifty miles from navigable waters; it will follow that, if the means of internal transportation cannot be rendered less expensive than it now is, that at least two-fifths of the physical power of the nation, with eight tenths of its most fertile soil, must remain inoperative, until called forth either by increased demands in foreign markets for the produce of our soil, or until the means of conveyance from the grower to the consumer shall be rendered less expensive.

"If it be admitted now that the exports of the United States amount to fifty millions of dollars annually, with but three-fifths of the population employed in productive labor, it will follow that, if the remaining two-fifths can be employed with equal industry upon a superior soil, that the surplus produce for exportation will be eighty-three and one-third millions, thereby adding to the national wealth thirty-three and one-third millions of dollars annually, from a source now producing nothing beyond the means of subsistence of the population inhabiting a remote, though the most prolific portion of our country.

"This wealth may not, it is true, return to us in the precious metals; but if it is more than sufficient to supply our wants in the products of other countries, the difference must remain with us in those metals. Experience has shown, however, that with the means of gratifying wants, wants increase; and hence it is fair to presume that an increased importation would naturally follow a greatly increased exportation: the effect of which would be, that, supposing an increased importation to the amount of thirty-three and one third millions, and the imposts to be collected upon the amount at an average of twenty per cent. the resources of the national treasury would be augmented upwards of six and an half millions of dollars annually; or in ten years sixty-five millions.

"But there are other considerations of great weight, which ought to urge the general government to the adoption and execution of an enlarged system of internal improvement.

"Nearly the whole body of public land lies far in the interior of our country; too remote from the sea coast to justify a hope that it can be sold to settlers for the purpose of cultivation, until a channel is opened by which the surplus produce of the soil can be transported to market.

"The United States is supposed to contain two millions of square miles, and, at the rate which Europe is populated, is capable of sustaining one hundred and twenty millions of souls—one million square miles are assumed to be arable land. The Atlantic states may contain about three hundred and seventy-five thousand square miles, of which one-half or one hundred and eighty seven thousand are supposed to be arable; this amount deducted from one million will leave for the western states and territories, eight hundred and thirteen thousand square miles, or upwards of five hundred millions of acres of arable land. Of the whole quantity of land west of the Alleghany mountains, there is but an inconsiderable portion sold: perhaps not more than two hundred thousand square miles: and this is incumbered with a debt due to the government of about twenty millions of dollars. There must, therefore, remain in the hands of government upwards of six hundred thousand square miles, or three hundred and eighty-four millions of acres of arable land. A great portion of this land, it is true, may not be required for settlement and cultivation for a long time; but it is a mine of wealth, which the nation may, with much certainty, look to at some time both for direct revenue, and indirectly, through a vastly extended population, as resource of incalculable national wealth.

"The population of the United States, which now amounts to ten millions, may be reasonably expected, within the next thirty years, to amount to twenty millions, and will naturally seek to spread itself into that region of country where land is to be had upon the cheapest terms and of the best quality.—This increase of population will furnish purchasers for lands, that would otherwise remain useless to the nation. A reasonable estimate would be, that one-half of this increase will be located in the valley of the Mississippi, and that ten acres of public land will be purchased for each inhabitant. This, for five millions, in addition to the inhabitants which that region now contains, would require fifty millions of acres of land; which, at one dollar per acre, would produce to the national treasury fifty millions of dollars, at the end of thirty years. Great as this consideration is, it is, however, of minor importance, when it is considered that the labor of this five millions will increase the whole exports of our country one half more than they would be, if the land remains useless for want of a cheap and easy channel of communication with other parts of the world.

"Under such views, can a doubt exist that it is the true policy of the national government to use all the constitutional power it possesses to call into action the force of the nation, in producing from that which is now useless, that which is valuable and necessary to the whole human family. It would seem that sound reason, not less than self interest, would forbid a different conclusion. The object then, is a national one; the nation at large is to be benefitted by an augmentation of its wealth, and the treasury of the government is to be enriched from that cause. Who then ought to effect the work? The government of the nation. Who ought to pay the expense? The national treasury.

"But it will be asked, admitting that the government of the United States has ample powers, and the national resources would be augmented to the extent supposed, what measures must be adopted that will produce the result? It may be answered, canals, or rail roads, if experience shall prove them preferable. But canals have been proved in Europe and more recently in our own country.

"Let us therefore, examine the result of a calculation upon the means of transportation by canals, and see whether that portion of the labor of our country with the fertile lands, which lie beyond a distance of two hundred and fifty miles from the seaboard, may not be brought into operation.

"The expense of transportation upon a good canal, exclusive of tolls, does not exceed for a ton weight, by actual experiment, one cent per mile. If, then, a ton of flour at Baltimore be worth fifty dollars for exportation, at the distance of two hundred and fifty miles from Baltimore, it will be worth forty seven dollars and fifty cents, or at the distance of five hundred miles, it will be worth forty five dollars; affording an inducement sufficiently strong when their more fertile soil is considered, to call forth the energies of the population of that portion of our country which lies more than two hundred and fifty miles from the sea coast.

"If the introduction of canal transportation will, with a population of ten millions, increase our exports of domestic articles from fifty to eighty-three and one third millions, it will follow, admitting that only one-half the increase in the next thirty years, shall settle on the west of the Alleghany mountains, and that no increased export shall take place in consequence of an increased population on the east of those mountains, that at the end of thirty years our exports will amount to one hundred and twenty-five millions of dollars annually; and consequently, if the proceeds of this shall be returned in articles paying the same duty that is imposed by the present tariff, the revenue of the government will be further increased five millions of dollars; mak-

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ing in the whole, an increased revenue of eleven and an half millions annually, in consequence of calling into action additional labor, by affording the means of canal transportation to the products of the west, at the end of thirty years; to which may be added the addition of fifty millions of dollars, the proceeds of the sale of public lands, that otherwise would remain unproductive in the hands of government; and, also, enable the debtors to the United States to pay for land already sold, twenty millions of dollars, by affording them the means of transportation for the produce of labor to market. These results being susceptible of mathematical demonstration, require no further elucidation; nor can it be supposed that the enlightened body who compose the government of the country, can require arguments to convince them that the true principles of political economy require that measures should be adopted, without delay, which shall in the shortest time possible, effect objects so highly beneficial to the community over whose destinies they hold so important a control.

"If the preceding views be correct, it would seem clear, that the people of the United States, as a community, are all deeply interested in opening a communication from the waters of the Atlantic to those of the valley of the Mississippi. At what point this communication ought to be made, can only be ascertained by actual survey and admeasurement; that which shall be the shortest and most certain ought to be adopted, without regard to local prejudices or partial considerations. And it is of secondary importance to the nation, whether the expense of construction shall be ten or twenty millions of dollars, seeing that it will be paid for by money, which will have been drawn from the pockets of the community, and which, after having returned to them, will again find its way in the shape of imposts to the public treasury.

"But the recent instance of the construction of a canal from the Hudson river to lake Erie, a distance of three hundred and sixty miles, by a single state of this union, without imposing a dollar tax upon her inhabitants, shews that no fears are to be entertained of increased public burthens, even by those who watch over the treasury of the nation with the most Argus-like eyes.

"If it be admitted that the canal to unite the eastern and western waters, were to cost twenty millions of dollars, and to be ten years in the construction; that the whole money to be expended should be borrowed, upon an average of five years time, at five per cent. interest; the cost of the canal would then be, when finished, twenty-five millions of dollars, the interest of which would be one million two hundred and fifty thousand dollars per year; for which, in the first place, the nation would increase its exports thirty-three and one-third millions annually, with its present population, and increase its revenue six and a half millions annually, in addition to whatever tolls shall be imposed upon the navigation.

"These considerations have induced me to believe, that the only question with the genèral government ought to be, is the communication between the waters of the Atlantic and those flowing from the immense valley of the Mississippi, practicable, either by canals or rail roads, with locomotive and stationary engines? and not what will be the expense in the construction? seeing that if it be at all practicable, no expense can be incurred but what the nation can bear without oppression in the first place, and which, in the end, will be ten fold remunerated.

"And here, permit me to state, that I entertain none of those scruples which appear to prevail in some parts of our country, upon the legitimate powers of the general government, extending to what is emphatically termed works of internal improvement; provided those works are calculated either 'to pay the debts or provide for the common defence and general welfare of the United States;' or 'to regulate commerce among the several states,' or 'to establish post offices or post roads;' inasmuch as congress possesses the power 'to make all laws which shall be necessary and proper for carrying the above objects into execution'—I entertain, and I trust the general government will entertain none of those scruples, because the necessary powers appear to be as clearly granted to that body as any other implied powers under the constitution.

"If the adoption and execution of a system of internal improvement will not aid in the 'payment of the debts of the United States,' by increasing their ability to produce the means of payment, or will not aid in the 'common defence,' by providing channels of communication for the transportation of the means of national defence, from one part of the union to another; or will not 'promote the general welfare,' by increasing the resources of the nation, and cementing the union, by the ties of intercourse and common interest; or will not 'regulate commerce among the several states,' between which no commerce can exist without such improvement; or will not 'establish post roads'—if none of these objects will be effected, then, indeed, is the general government precluded from legislation upon the subject: but if any one of those objects are to be accomplished by the construction of roads and canals, then the general government certainly possesses the constitutional power 'to make all laws which shall be necessary and proper for carrying such objects into effect.'"

[☞The rest of the matter is generally local, and is therefore omitted, except the last paragraph.]

"Having endeavored to show, that the interest of the United States, at large, will be greatly promoted by the prosecution of a liberal and extensive system of internal improvement, which shall extend its benefits to every portion of the union, and that no constitutional impediment now exists to their government immediately commencing such works; and also, that the state of Maryland is equally interested in the adoption and prosecution of a liberal system of internal improvement, within her own limits: and that her resources are amply sufficient to meet any expense she may incur in effecting a work, calculated in so great a degree to increase her population and augment her wealth, I commit the resolutions, which I have had the honor of submitting, to your candid consideration, with an assurance that if the principles they contain shall be found objectionable, that any others which may be proposed, and which shall present a reasonable prospect of accomplishing a work in which I feel that all my interests are united, shall have my most cordial approbation and support."

☞While the Alleghanies stand,—will stand the principles so ably set forth by Mr. Ellicott.

LEGISLATURE OF NEW YORK.

IN SENATE—APRIL 12. *Report of the committee on finance, on the bill from the assembly relative to reducing the rate of interest, and sundry remonstrances against the same.*

Mr. *Bronson*, from the committee on finance, to whom was referred the bill from the assembly to reduce the rate of interest to 6 per cent. and discount to 5½, and guard these rates by the existing usury penalties; and to whom also was referred the several remonstrances from the cities of New York, Hudson and Albany, and from the county of St. Lawrence, against the passage of said bill, reported:

That the important bearing of the proposed enactment upon the industry of our state, the elaborate discussions had thereon, the anxiety manifested in relation to the measure, and the diversified views of legislators, commend it to the careful consideration of the committee, and demand their best efforts to elucidate a subject somewhat perplexed by subtleties and speculation. They propose,

1st. To explain the distinction between capital and currency:

2d. Describe the appropriate office of each and the laws which govern them, and allude to our banks:

3d. Inquire into the necessity or propriety of regulating by law the hire or interest to be paid for capital.

And 1st. Capital comprises all the commodities of a country which have value, including the soil, mines, manufactories and their products, as well as merchandise and the artificial channels, the vehicles, craft, ships, &c. which circulate it.

The amount of capital thus defined, owned or possessed by the citizens of this state, or invested in it, we estimate at a sum not less than 800 millions of dollars.

The valuation by the town and county assessments, including the stock of chartered banks, would amount to about half that sum, allowing for other corporate property not returned by them, for under valuation, for personal property which escapes the assessor, and it is believed the above estimate is below the truth.

The currency of our state amounts to about 14 millions, of which say 12 millions are bank paper, and 2 millions are metal. Our currency, therefore, bears the proportion to our capital of 1¾ per cent. that is, for every hundred dollars of capital we possess one and three-fourths dollars in currency.

Office of currency, and the laws which govern it.

The office of currency is to measure capital when it changes owners, or passes from producer to consumer, saving to parties the trouble of seeking out each other and exchanging their products. Thus, a person possessing a commodity and wishing to exchange it for another, first converts it to currency, and with that seeks out the article which he desires to possess. The currency is not an object of desire to either party, except so far as it facilitates the exchange of the commodities they would part with for those they would possess, and it is always dismissed so soon as it has performed this office of measuring the value of the article exchanged, and is again required to minister to the convenience of others in the same manner.

It has been estimated by writers of authority that one dollar of currency would exchange five dollars worth of commodities each year; thus our 14 millions would exchange 70 millions annually. Although currency bears so small a proportion to capital, yet it is of the first importance that it should be well regulated, measuring capital with precision and steady uniformity; for it is this small amount of currency, (1¾ dollars to the hundred), which stamps on capital its *apparent* value; we say apparent, for it does not affect its real or intrinsic value. A well regulated currency, or in other words, a uniform measure of capital, performs not only our domestic exchanges faithfully, but the foreign also; it regulates our exports and imports with all the precision of which exchanges are susceptible. But a deranged currency not only exchanges our domestic products imperfectly, but perplexes foreign trade, deranging exports and imports, and baffling the skill of the merchant in his efforts to equalize the markets of the commercial world. Thus a superabundant currency operates upon the capital it measures like a short yard stick, a light weight, or a small measure: while a contracted currency operates like the long stick, the heavy weight, or the large measure. Each extreme is alike mischievous. Abundant or degraded currency *apparently* swells the value of commodities, and we say houses, lands and merchandise are dear, whereas in truth, money is cheap, or currency is degraded. Thus, a man purchasing a farm, or merchandise, at a time when currency was degraded, being too abundant and too cheap at 25 per cent. and being obliged when his payment

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falls due to convert the same farm, or merchandise, into a currency restored to its true standard value, would find to his cost that the capital which had been measured to him at $4,000, and for which he had obligated himself to pay in currency, would, by the corrected and true standard, be measured back at $3,000, and that he had lost by this derangement of currency 25 per cent. of his estate, while the estate itself, the farm or merchandise, had neither gained or lost in its intrinsic value; but his loss had been produced by the use of a fluctuating measure or standard, a loss as fatal to him as if the estate had actually withered to two-thirds of its dimensions under his possession.

The currency of a country will always be best regulated when left free to obey the impulse of commerce, unshackled and unembarrassed by legislation. Such impulse will expand and contract its volume, expel it from a country when it has become abundant, and restore it again when it has become scarce. Commerce tends with all its force to equalize currency as well as all exchangeable commodities among trading communities, at home and abroad; and although, like the tide, it is perpetually ebbing and flowing and never finds an exact and quiet level, yet commerce will not tolerate great inequalities in the currency of the trading world, unless thwarted by political events or legislative enactments. It is this approach to equality of distribution which constitutes both the utility and perfection of currency.

The process of regulation is as follows: A superabundant currency at a given place becomes a degraded currency, compared with that of the rest of the world. It gives to exchangeable commodities a false value, raising the price of exportable articles until they will not pay cost and freight; then the dollar, the guinea and the doubloon drop their character of currency or measure of value, assume that of merchandise, and take the place of the bushel of wheat, the barrel of flour and the bale of cotton, which the merchant rejects, and go abroad in lieu thereof to pay a debt, or in search of foreign commodities with which to gorge a market rendered voracious by this excess of currency. An equilibrium is soon restored by the four fold operation of refusing to export the domestic products which accumulate at home, where they are useless, by superadding foreign commodities to a market already overstocked with them, and by transferring specie from a country where it is abundant and cheap, to one where it is scarce and dear. Thus money rises, commodities fall, exportation increases, importation diminishes, and the vibration thus produced is not arrested until the redundant currency has become a contracted one; commodities in *their* turn become too *cheap*, and money too *dear*, and the former are sent in search of the latter to *restore again* the equilibrium.

Such are the laws by which commerce and currency mutually govern and control each other, and when the currency consists of metal alone, its ebb and flow is so gradual as never to produce agitation, unless impeded or impelled in its progress by political convulsions or unwise and fickle legislation; an abundance or scarcity is hardly felt before it is corrected.

Not so, when 12 parts of the 14 of our currency is paper, which cannot like metal assume the character of merchandise for exportation. Commerce is then compelled to make all her drafts on this small stock of metal which the banks have collected to her hands and hold ready for banishment at the shortest notice. And at the moment commerce begins to exhaust the metal, the banks, under the influence of a panic, and in obedience to the law of self preservation, withdraw the largest possible amount of their paper currency in the shortest period of time, until by the combined efforts of all the merchants and all the banks, a pinching and cruel dearth of currency is suddenly produced, measuring out the debtors' capital to his more fortunate creditor with unrelenting extortion. It is true this severe process soon restores order and health to the commercial community, but like the tornado, which replaces a pestilent by a salubrious atmosphere, leaves abundant traces of its devastating march.

Banking.

This important subject, which the bank commissioners have discussed with ability, demands from us a brief notice, from its connexion with the subject under consideration.

If our banks could be restrained to their legitimate office, of furnishing our currency, and affording a safe deposite for the idle capital of our citizens, and possessed the power of withdrawing at pleasure a portion of this currency, as it became redundant, without producing revulsions in commerce, they would fulfil the office for which they were created, and prove abundantly useful to the public.

The bank capital of our state amounts to about twenty-five millions	$25,000,000
The currency	14,000,000
Deposites of idle capital, say	10,000,000
Together	$49,000,000

being the amount of the debt due the banks, excluding the United States branches.

If we assume that fourteen millions of currency are required to perform the exchanges of our state, then banking capital to an equal amount, say fourteen millions, it is believed would be adequate to our wants, and sufficient for all useful purposes.

Of these fourteen millions of capital, ten might be invested in public stocks, or permanently loaned on bond and mortgage, while the remaining four millions were held in specie; with the capital thus disposed, these banks might safely exchange their credit in bank paper for good commercial bills or notes, payable at two, three and four months, and thus would the banks furnish the fourteen millions of bank currency required, and would hold, in addition to their capital thus secured, fourteen millions of commercial paper, representing the exchangeable commodities of the country, always convertible to currency, and always to be converted and applied to their payment as the discounted bills reached maturity; every cancelling or payment to be followed by the discount of a new bill, and a new issue of bank paper; and thus would a sum equal to such capital be loaned and redeemed four times each year, amounting in the aggregate to fifty-six millions. If each 90 days loan of bank paper performed two exchanges of property before it returned in payment of the bills discounted, one hundred and twelve millions of commodities would be exchanged annually with this bank currency, a larger sum we doubt not than would require the agency of currency.

With such a reservation of specie, say four millions, and with good bills equal in amount to the currency in circulation, and payable at the rate of more than one per cent. or one hundred and fifty-five thousand dollars per day, being about one million per week, the banks could never be embarrassed, or alarmed by any commercial revulsions, and might witness the exportation of their specie with calm indifference, knowing that a few days' receipts would be equal to any redundancy of currency, they might have issued in exchange for business paper; for it will be recollected that this redundancy cannot be very excessive when confined to such operations, and it should also be borne in mind, that the banker has to provide, in case of emergency, to redeem an amount equal to the difference between the minimum and maximum of the circulation. If ten millions shall be the minimum, and fourteen millions the maximum, then four millions will be the most that can be thrown back upon the banks, leaving at the least ten millions suspended in circulation.

We have thus endeavored briefly to describe strict, rigid and useful banking, a system by which the banker could contract or enlarge his business gradually, and would never, under the influence of a panic, diminish the currency so much and so suddenly as greatly to distress a whole community, and would possess the means in his specie and business paper, to meet all exigencies without resort to his bond and mortgage debt, or to his public securities, both of which would stand apart as a safety fund for his bill holder.

If it were necessary to wind up the whole system, and abolish the banks, a single year would suffice to accomplish it, and replace their paper by specie to the amount of fourteen millions; a year of scarcity of money and low prices to be sure, but not of severe distress.

If it be true, as we believe, that fourteen millions of capital, and more than two-thirds of that permanently invested, can be made to sustain a currency adequate to all the wants of our populous and commercial states, a currency convertible to specie at pleasure, and exempt from frequent and excessive fluctuations; the inquiry may well be made, whether there are not defects, dangers and delusions, connected with a system which pretends to have absorbed already near twice that amount of capital, and clamorously demands much more, no portion of which is *permanently* invested, but all held, or pretended to be held, in a condition to redeem bank paper, if occasion should put it in requisition.

Not only this bank capital of twenty-five millions, but also the deposite of ten millions idle funds and the fourteen millions of bills receivable, for which bank paper has been exchanged, amounting together to forty-nine millions, pretend to stand ready to redeem at short notice, any portion of these fourteen millions, or rather, that portion which can require redemption, being the difference between the minimum and maximum circulation, say four millions. With resources apparently so ample, the call of commerce for a single million of metal produces a serious bank panic, and a sudden contraction of bank currency.

This debt of forty-nine millions, which ought, if made upon banking principles, to produce spontaneously for the redemption of paper half a million per day, requires a severe and protracted pressure upon it to produce two or three millions for an emergency; and if forced to yield four or five millions, a sum equal to eight or ten per cent. of the debt, such pressure is attended with wide spread ruin and general consternation.

To reconcile such apparent power with such impotent and feeble results, we are forced to the conclusion, that many of the rules which ought to govern good banking, are disregarded. That much of the stock, though apparently paid for is withdrawn, and the holders' paper substituted therefor, in the same or some other bank. That much of the capital is loaned for long winded operations, as farming, ship-building, long voyages, the erection of manufactories, mills, &c. That much of the discounted paper professing to be commercial, and representing commodities which can be converted to currency for the payment of the bill, is not strictly such, and that such paper, although paid at maturity, is indebted to some of the many expedients familiar to commercial operations for such payment—expedients, however, which demand new loans, equal in amount to those cancelled, and thus the merchant continues to be debtor to the bank, not for a small and temporary loan in anticipation of his bills receivable, but for a large proportion of his capital; which, though borrowed temporarily, is retained permanently, and cannot be surrendered in times of pressure without great sacrifice, if not ruin.

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The committee cannot command the time or space necessary to explain intelligibly the evils resulting from the combination of so much capital with our currency, compelling them to share the fate of each other, and vainly attempting to subject them to the same laws, by which means both perform their office imperfectly; the capital but half subserves the interests of the borrower, as he holds it by a tenure so precarious as the wants and necessities of the banker—wants and necessities which are sure to press both banker and borrower at the same time, while currency is contracting and expanding by an artificial impulse, which greatly impairs its utility.

While we entertain no doubt of the solvency of our banks and their ultimate ability to redeem their currency, pay their depositors, and restore their capitals to the stockholders, except in the event of a commercial convulsion, yet all this is deemed secondary in importance to their duty of furnishing a uniform and stable currency. It is a law applicable to currency, that it increases in value as it decreases in volume, and decreases in value as it increases in volume. Thus, 10 millions of currency would exchange a given amount of commodities as effectually as 14 millions, with this difference; the contracted standard of 10 millions would give to them a value of about 72 millions, while the 14 millions would expand the same commodities to 100 millions: and if this was the annual amount of our exchanges, a variation of 4 millions in our currency, the difference between the extremes of a contracted or an expanded circulation, would raise or depress their value by 28 millions in one year, a sum equal to twice the amount of our currency; and when we estimate the mischiefs produced by applying a fluctuating and unstable currency to such an amount of exchanges; its gambling influence unsettling prices, enriching some, impoverishing others, and embarrassing all, by baffling and mocking their calculations, the consideration that our safety fund of a few hundred thousand dollars will protect us against an occasional loss in the currency of a broken bank, loses all its importance. Such failure and loss would be abundantly compensated, if they would teach caution to the public, and skill and prudence to the banker.

Notwithstanding bank charters have absorbed so much of our active capital, to the prejudice of long winded and permanent operations, stimulating trade and commerce almost to intoxication; notwithstanding that many villages of the interior are laid under contribution for their last dollar to gorge with capital and stimulate to excess the favored few having bank charters, still the mania for charters threatens to swallow all our floating capital, leaving no other resource than banks for borrowers.

It is believed that restraining banks in their discount to 6 per cent. would tend to improve the character of their debt, by inducing them to reject long loans and collect more rigidly. And that restraining them in their issues to the amount of their capitals, (instead of twice the amount), would check the efforts of a part of the small country banks to extend their circulation; banks which with limited means for redemption, and emboldened by their high credit derived from the safety fund, push their operations beyond the limit of prudence, and fill up by their circulation, the vacuum, if any, left by their more cautious competitors. Such restraint might reduce the circulation of the country banks from eight millions, its present amount, to seven millions, or from about the amount of their aggregate capitals to seven-eighths of that amount, counteracting the general tendency to overload currency.

Both restraints would tend, in some small degree, to check the flow of capital into the bank channel.

Of capital.

In discussing the subject of capital, the laws which govern it, and the interest or price paid for its use, the committee will study to avoid all allusion to currency; and when they speak of interest they are to be understood as meaning the *hire of capital*, by which means they hope to relieve these subjects from the perplexing obscurity which has enveloped them when capital and currency were confounded.

Capital does not expand and contract with the same elasticity, or ebb and flow with the same rapidity, as the currency by which it is measured; nor does it obey the same laws. It is the fruit of industry, skill and economy. Under a good government, and in a community well regulated, its accumulation is constant and rapid, and the largest accumulations are found in the oldest countries thus governed and thus regulated. Its constant tendency is to flow off from these abundant and swollen fountains, and in the direction which promises the best return with the greatest security, whether that return be yielded in the shape of interest for loans, dividends on investments, commercial and manufacturing enterprises, or land speculations.

The same law which diffuses capital from fountain to rill, from an old to a new country, also requires at all points its perpetual and ceaseless change of investment, as one subject allures with more force than another; and thus do the various branches of industry approach and maintain their level.

It is believed that of the eight hundred millions of capital belonging to and in the possession of the citizens of our state, at least four hundred millions of dollars are lent and borrowed at from four to fourteen per cent. interest per annum. When it is considered that the bond and mortgage debt of the city of New York exceeds forty millions; that the debt on personal security must be still larger; that our bank loans of capital, excluding currency, are between thirty and forty millions; add to these large items the debts due the foreign land-holders, as the Holland company, the Pulteney, the Parish, the Chaumont and the Hornby estates, with many others of less magnitude; the three millions loaned by the Life Insurance and Trust company, and an equal amount by the savings' banks; the Connecticut school fund debt, and the vast amount of foreign and domestic debt due to and from individuals; this estimate will not be deemed an exaggeration.

With a debt so vast, being equal in amount to twenty-eight times our currency, and with such a propensity in our citizens to borrow and lend, it may be well to inquire whether its influence is salutary or pernicious, whether it should be tolerated or prohibited, encouraged or restrained; and to the committee it is consoling to believe, that this debt, vast as it is, produces public benefits proportioned to its magnitude.

The committee will assume that capital cannot be too abundant in any country, or too widely diffused, provided that diffusion is gradual. To deny this proposition would be to assert that we had cultivated and stocked too many farms, had built too many houses, mills, manufactories, and ships, or had accumulated too much merchandise.

Hire or interest of capital.

Capital cannot be made to yield capital again, without combining with it skill and labor, nor can skill and labor be made to yield capital, (beyond the hireling or servant's pay), without combining capital with them. Now it so happens in the wise ordering of nature, that the ability of the possessor to apply this labor and skill to the management of his capital, diminishes in the ratio of the increase of such capital, and that from two causes; first, from the increased labor of managing such accumulated capital, and second, from the decay of physical and mental powers by the approach of age; hence the man who has acquired wealth, finds *his* interest in lending or in investing it, to be loaned or managed by corporations. While every man in our community, where the field for enterprise is broad and ample, whose education, talents, occupation and skill fit him for a station above the servant or day laborer, being destitute of means, finds *his* interest also in borrowing, to the end that he may turn his talents and acquirements to profitable account. Even the mechanic, without a patrimony, could not avail himself of years of indented service, unless he could borrow a shop and tools; nor the students of law and medicine of their mental acquirements, without their borrowed libraries: or the indigent farmer or merchant of their skill, without the borrowed farm or merchandise. Both parties therefore, find a mutual interest impelling them to lend and borrow; nor does the interest of the parties conflict with that of the public, as these loans diffuse and augment capital, affording aliment for labor, and yielding to humble industry an ample reward.

It is believed all these objects are best promoted, and capital most widely diffused, by loaning it in minute portions; thus combining the greatest amount of labor and skill with a given amount of capital, yielding in the aggregate the largest amount of revenue.

To illustrate: If a capitalist possessing $100,000, should invest this sum in the purchase and culture of one hundred farms, worth each $1,000, these hundred farms could have the benefit of the superintending skill and labor of one man only, and it cannot be doubted that such an investment would be wholly unproductive of revenue: whereas these hundred farms loaned to one hundred young, efficient and skilful farmers, would have the benefit of the superintending skill and labor of one hundred men, yielding to the lender $70 each, or an aggregate of $7,000 and would yield to the borrowers the support of one hundred families, and a gradually increasing surplus, until the whole debt of $100,000 should be ultimately extinguished and the farms doubled or trebled in value; such is the rapid process of accumulation in a country like ours, by the judicious combination of capital and labor.*

The capitalist undertaking to manage a hundred ships, mills or stores, could not prosper better than the farming experiment. Although capital thus divided into minute parcels yields the largest return, and can afford to pay the highest rate of interest, yet it may be advantageously borrowed in larger sums, and for more extended and costly operations, as manufacturing, navigation, &c. and the capitalist is content in such cases with a lower rate of interest, as he is saved the trouble of multiplying his transactions, and of re-investing so frequently. Capital, therefore, when loaned, has its wholesale and retail price or rate of interest.

Usury.

The committee being satisfied of the utility of borrowing and lending, it remains to inquire what regulations and restraints

* The committe are aware that our frontier settlements afford exceptions to this rule so numerous, as to furnish a plausible argument against our present rate of interest. But these settlements were made during a period of five or six years succeeding the late war, the flood of emigration breaking away at that time, which had been restrained for a quarter of a century by a prosperous foreign trade, the temporary prosperity of manufactures on the sea board, and the hostile and unsettled condition of the frontiers. When this settlement was making, our currency was exceedingly degraded by a long suspension of specie payments, baffling the skill and deranging the contracts of landlord and settler. One company alone have since abated near a million of dollars in principal, besides a large amount of interest, to conform those contracts to a regulated standard currency, and also to the depressed legal price of United States lands.

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the law should impose upon these contracts. The most essential part of the contract, that of fixing the *value* of the capital borrowed, or the sum on which interest is to be charged, when that capital does not undergo the process of transmutation to currency, but passes direct from lender to borrower, has never been deemed a subject proper for regulation by legislative enactment or supervision; thus the price or value of the farm, the cotton mill, or the ship, is left to the exercise of individual discretion and skill, and even the forbearance or interest, technically called rent or charter, may be settled by the parties in all cases where the *same* farm, cotton mill or ship, are to be returned, no matter how remote the period of restoration; but when the *value* of the farm, cotton mill or ship, is to be restored in their several products, agricultural, manufactured or commercial, and these products are to be converted to currency, then legislation has decided that the case comes within its province, and the interest, hire, charter or forbearance, is no longer a fit subject for the exercise of individual skill and agreement. Nor is this all, or the worst of all. Legislation has also decided, (if the agency of currency happens to be invoked), that all lending and borrowing shall conform to one standard, and that an arbitrary one, which yields to no exigency, a standard at or below which all must lend and borrow, without regard to abundance or scarcity of capital, amount of loan, nature of security, prospect of gain or hazard of loss.

And yet this legal standard, which professes to regulate interest so rigidly, performs almost any other office than that of regulating. When the market rate of interest is below the legal rate, the law has no regulating force, capital is then loaned at the market rate, the law being a dead letter. When the market rate at one place is below, and at another above the legal rate—for instance six per cent. on Long Island and eight per cent. at Chautauque, the legal rate of seven per cent. guarded by penalties, instead of equalizing the interest of the two places, as it professes to do, would tend with all its force to increase the disparity, by checking the flow of capital from the cheap to the dear region, depressing the market rate to five per cent. on Long Island, and raising it to nine per cent. in Chautauque, *deranging* instead of *regulating*. When the market rate of interest at retail, or for sums of small amount, exceeds seven per cent. instead of regulating for this valuable class of borrowers, the law denies to them the use of capital, and in effect forbids their borrowing at all, while it secures to the large borrower and the best security the monopoly of borrowing.

Another class of borrowers, though not regulated by legal enactments, are greatly embarrassed and oppressed by them. We allude to the class whose moral integrity forbids the suspicion that they will avail themselves of the penalties of a law, the proffered protection of which they are willing to waive; and it is creditable to our community that this class is numerous, comprising, with many others, almost the entire mercantile population; but as the class of lenders are far less numerous than the borrowers, and many of them are deterred by moral restraint, and others by suspicion and timidity, from making loans at high interest, this large class of honorable borrowers are consigned to the mercy of a few lenders, and those the most enterprising and least scrupulous of their order, while their more scrupulous competitors retire from the field to avail themselves of the thousand doors thrown wide open for the profitable investment of their capital, by means of a temporary scarcity thus aggravated by their own change of pursuit. Even the lender himself, whose conscience would not tolerate a ten per cent. loan, may, with a clear conscience, and under the protection of law, purchase the estate of the person to whom he had refused the loan, at a price which will yield twenty per cent. profit, and at a sale rendered necessary perhaps by such refusal.

It is notorious that the market rate of interest is often, and at places almost always below the legal standard, as at present regulated. Such standard, therefore, only operates where the market rate exceeds this limit, and then it works positive mischief by checking an influx of capital, which a higher market would lure from abroad; locking up at home by investment what had been loaned, denying to the borrower his accustomed supply, expelling capital and turning it into new channels, raising the market price extravagantly, and securing to a few the monopoly of lending at such exaggerated rates, deranging industry, and forcing our citizens to a frequent change of pursuit; and all this without, as we believe, one solitary benefit to atone for so much mischief.

When the crops of a country fail, famine is prevented by a rise in the price of bread stuffs, which rise operates beneficially two ways: it allures a supply from foreign countries, and it also induces each one to curtail his consumption as much as possible. What would be thought, in this age, of a law that should counteract this salutary rule of commerce, and from a mistaken kindness to the poor, prevent a rise in the price of breadstuffs? All laws restraining the price or hire of capital operate like such a law, with this difference, that the famine would fall indiscriminately upon all who did not possess bread, although they could command the means to buy at the cheap legal rate, but in the dearth produced by the attempt to make capital cheap, the whole calamity falls upon the borrower, the unfortunate victim of legislative *care*.

Our statute fixing interest forbids us, under penalties, to invite capital by the allurement of high prices to our market, and forces us to contract our business by bankruptcy and ruin to the quantity of capital which under, or in spite of the legal standard, can be had. It is precisely as if a famished city should kill its inhabitants, till the numbers left were proportioned to the quantity of food on hand.

The committee are aware that improvident and ruinous loans are contracted, and would continue to be with or without legal restraint; but so far from requiring legislative interposition, these losses are the only legitimate and effectual restraints upon improvident borrowing.

Capital is borrowed solely with a view to gain; a pledge is required by the lender equivalent to the loan, which pledge is surrendered if the capital is dissipated. Here then are two motives of equal force to guide and control the borrower—the hope of gain and the fear of loss. If the hope of gain be strong, the fear of loss is equally so: if the desire for acquisition be inordinate, the fear of loss will be equally controlling.

With hopes and fears thus balanced, experience and observation alone are required to guide the judgment, and nothing can be more impressive and admonitory than to witness a neighbor struggling for years, and sinking at last under a load of debt charged with a high rate of interest; all who witnessed would avoid the danger as they value their former acquisitions or their future hopes.

Losses are incident to all pursuits having gain for their object, and they admonish to prudence and caution. Ship building ceases when low freights give warning to the merchant that navigation has been pushed to excess—importations are arrested by a losing market—so money borrowing ceases when it results in loss.

The committee have come to the conclusion that the best interest of the state will be advanced.

1st. In promoting the free circulation of foreign and domestic capital over our state, by giving stability and security to its investment, and by extending legislative facilities to associations who borrow and lend capital unconnected with currency—as savings banks, trust companies, &c.

2d. By restraining banks in their circulation to the amount of their capitals, and by restraining them in their discounts to 6 per cent.

3d. By repealing the usury penalties, except in relation to banks, and fixing the legal rate of interest 6 per cent.

If, however, the usury penalties should not be repealed, we would object to reducing the limit of interest from 7 per cent. which seldom presses upon the market rate, except in the new parts of our state, and fixing that limit at 6 per cent. which in many parts of our state, and at all times, would press upon the market rate, aggravating the evils incident to the present standard of interest. If these amendments generally should not prevail, then we would respectfully recommend that the further progress of the bill under consideration be arrested, in conformity with the prayer of all the memorials addressed to the senate.

REMARKS OF MR. DAVIS, OF MASSACHUSETTS,

In the house of representatives, February, 1833, on Mr. Root's amendment to Mr. Beardsley's amendment to the part of the bill which relates to wool.

Mr. Speaker, (said Mr. *Davis*), it is worth our while, before we vote on this measure—as it is the first, and will be followed by others of like character—to understand what principles we act upon. The amendment proposes to reduce the duty on wool, in three years to 25 per cent. ad valorem; and the amendment to the amendment proposes to leave that duty at 30 per cent. He should, he thought, vote for both, not because he approved of them, or considered them as suitable acts of legislation for this government to adopt, but because he considered them more favorable to the great agricultural interests of the country than the bill; and this was the only reason why he should give them his support, if he gave it at all.

He would, while up, take the occasion to say that probably few members on the floor felt more anxious than he did to see this all-stirring subject settled—to see national harmony restored, and the jarring opinions, if possible, reconciled. He had from the outset entertained this sentiment, and while all around him seemed to concur in it, and seemed anxious to allay excitement, and to cherish better feeling, it gave him pain to observe that the house, after more than four weeks of intense labor, had approximated little towards it; indeed, he said, the signs of the times were such that he despaired of any reasonable adjustment.

He saw the bill of the committee of ways and means execrated throughout the country as a measure unsuitable to be the basis of future revenue. He used no harsher language than facts justified, for it gives satisfaction no where in the portions of the union attached to the protection of our industry; and he was equally confident it was reprobated where he supposed it was designed to give contentment. We had now had it under consideration a month, had endeavored to amend, alter, adjust and bring it into an acceptable form. We had labored early and late, and what had it all come to? Would any one say we are now apparently any nearer to the object of desire than when we commenced? Every motion, every proposition to modify this bill, unsatisfactory as its provisions are, has been steadily and resolutely resisted by the south, and we have this painful evidence that no better propositions, no terms more just and beneficial to the country, are to be offered to us. The bill, therefore, and nothing else, has the approbation of those opposed to the tariff. We have, therefore, he observed, no alternative left,

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but to resist a measure so unjust and injurious; and this, for one, he should do to the last, if it were not improved.

The *Speaker*. The gentleman from Massachusetts must confine his remarks to the amendment.

Mr. D. inquired if it was not in order for him to argue that the proposed decrease of duty was impolitic and bad legislation?

The speaker assented to this.

Mr. D. observed, he believed he had confined himself within the strictest rules of order, and should continue so to do. He had spoken at large, on a preceding day, of the injurious policy of reducing wages, and of the pernicious tendency it had to make a poor, ignorant and miserable population, like that of Europe. He had said that duties could not be reduced on protected articles without producing this effect to an extent proportioned to the reduction; and this would not reach manufacturers alone, but all laborers in the country. He had therefore said, a question of reduction was one of serious import and should be well considered. And he would now inquire if the avowed object of this bill was not a reduction of revenue because there would be a surplus in the treasury? He did not concur with the gentleman from New York, (Mr. *Beardsley*), that we had any evidence before us of such an excess of revenue. The secretary of the treasury proved to us last summer, if the bill then passed, which did become a law, that it would raise only a revenue of $12,000,000; but he now alleges, only a few months having elapsed, that it will produce $18,000,000. It is not easy to understand his reasons for this change of estimates; nor is it easy to settle which opinion is entitled to most consideration. If it will raise no more than $12,000,000, the government will need that sum, and there is no occasion for further reduction. The secretary, however, does not pretend that even if the sum of $18,000,000 is raised, that there would be any surplus this year, for the whole will be absorbed by the demands of the government. No excess can accrue, therefore, before the close of the year 1834, and it is by his statement problematical whether there will be any then. Why should we be pressed so urgently on this subject *now*, as if it was a matter of certainty, when it is only a contingent? Why should we be forced to go forward blindfold—to grope along a path which the secretary himself seems not able to point out with any certain knowledge? Yet this reduction is alleged to be the main object of the bill, and we are urged to act here as if we knew that the laws would place in the treasury six millions of surplus revenue in 1834; and this is the reason pressed unceasingly upon us to pass the bill.

Such matters, he said, as came properly before us he was willing to consider. The public debt was nearly paid off, and we shall consequently have less occasion for money—we must therefore raise less than we hitherto have done, but we had not been unmindful of this event, and had prepared for it by lessening the revenue ten or twelve millions in a short period. He admitted that the argument against an accumulating surplus in the treasury was sound, and did not deny that the government must be limited in its income to its necessary expenditures, but the enemies of American industry insist on lessening the protection of the laborer, on the ground of a surplus. He desired assurance of the existence of such surplus—before he acted on this question, he wished to be made reasonably certain that hostility to our industry did not outrun all other considerations.

In voting, he said he should keep these considerations steadily in view, and would reiterate that he should support no bill that abandoned the principle of protection. In reducing the revenue, let us, he said, understand what we do, and upon what principles we act. It seems to be assumed here, that the only mode of reducing revenue, is to reduce all duties on imports equally. He protested against this, as a false, unsound theory, designed to destroy by its insidious action, the protective doctrine, without accomplishing the object it professed to have in view. The bill before us, which is recommended because it is alleged to be necessary to reduce revenue, contains items that by this process will increase, instead of diminishing revenue. Take, for example, ardent spirits—the duty on which is perhaps one hundred and fifty per cent. and suppose this duty reduced to seventy five per cent. will not the importations which are now restrained by the very high duty be so increased as to increase the revenue? The committee of ways and means, he said he believed, admitted that this would be the result. The same may be said of other articles.

Mr. *Wilde* rose and inquired if it was in order to discuss the whole subject?

The *speaker* said no, the argument must be confined to the amendment.

Mr. *Davis* desired to be informed if it was not in order to shew the impolicy of reducing duties on wool in the manner proposed.

The *speaker* replied, yes. There was a cry from different quarters, "go on—go on." The argument he had used, was to that point. The general proposition is to reduce the revenue, and to accomplish this object the amendment proposes to reduce the duty on wool. To this he, in the form in which it stood, was opposed, and his argument he considered direct and legitimate for this purpose. The speaker nodded assent. Certain and fixed principles, he said, ought to govern us in this and all votes that we give on this and all other propositions for reduction—and at the head should stand constantly the principle of protecting American industry—no measure should meet with countenance that aims to abolish this.

The gentleman from New York, (Mr. *Beardsley*), said, the only wise way to reduce is to do it gradually. With that gentleman, he said, he concurred thus far—but we ought to look as well at what we had done as to what we were called on to do. In July last, congress considered this matter with the most anxious and deliberate attention, and lowered the duty greatly, and this should not escape observation, as any attempt to descend further may be attended with great peril, and may be followed by grievous calamity. Notwithstanding this, he observed, greater reductions were demanded to compose the irritated state of feeling which is alleged to exist in the country, and how can it be done? If done at all, it can be accomplished in but one way, without violence to private rights and great private suffering. It must be gradual—very gradual—and a long time, and arranged with great judgement and discretion. There is an immense interest at stake, and the prosperity—nay, almost the existence of a vast population involved in it, and it should be approached with caution, and changes affecting it made with sound judgement. What, he said, he would repeat, do you propose to do? Last July a great change was made, but the law goes into operation in March next; that change which was a reduction of twenty per cent. of the present duties on wool is still future, and will congress add to it the present proposed reduction of fifteen per cent. of the duties of 1832? Can the country bear this? for it is to be followed up on woollens and other articles. Will the wool grower be satisfied to have his property made thus the sport of this body? But this is not all, for this reduction is to continue for three years after the same rate. This is not gradual, but rapid—very rapid—and full of hazard. The time is not long enough, especially for men in debt. The descent should be slow; the annual reduction so small, that by increased skill and economy, men may not only exert themselves, but may succeed in meeting it. If, he said, you descend sixteen or twenty per cent. in a year, they will sit down in despair, being unable to grapple with it. Men should have time to prepare for changes in their business. This proposition of the gentleman from New York goes by long strides; it is very hurried; and though, said he, the principle is the right one, yet the details are objectionable.

He said he had occupied the attention of the house much longer than he intended when he rose. He would not, in conclusion, say the wool growers or the manufacturers would bear any change from the bill of '32, without hard pressure and suffering. He believed they would not, but hoped they would willingly make great sacrifices for repose. They were wearied with this endless warfare. And believing such to be their feelings, he should, for one, take the responsibility of voting a judicious and gradual reduction, if the discontented would sit down and be at peace under it; otherwise he would not lift his finger to carry any measure through. He rose to express these general views, that his course on this, and the measures which will succeed, might be understood. He did not propose, at present, to introduce any measure, but hoped, if the south desired, as they had often expressed themselves, to save our manufactures, and at the same time to compose all controversy, that some gentleman from that quarter would offer something beside this bill, which no man in favor of protection can support.

TREASURY CONSTRUCTIONS OF THE TARIFF.

CIRCULAR TO OFFICERS OF THE CUSTOMS.

Treasury department, April 20th, 1833.

The 7th section of the act of the 14th July, 1832, entitled "an act to alter and amend the several acts imposing duties on imports," provides, "that in all cases where the duty which *now* is, or *hereafter may be* imposed on any goods, wares or merchandise, imported into the United States, shall, by law, be regulated, or be directed to be estimated or levied upon the value of the square yard, *or of any other quantity or parcel thereof;* and in all cases where there is *or shall be imposed any ad valorem rate of duty* on any goods, wares or merchandise, imported into the United States, it shall be the duty of the collector, within whose district the same shall be imported or entered, to cause the actual value thereof, at the time purchased, and place from which the same shall have been imported into the United States, to be appraised, estimated and ascertained, and the number of such yards, parcels or quantities, and such actual value of every of them as the case may require; and it shall, in every case, be the duty of the appraisers of the United States and every of them, and every other person who shall act as such appraiser, by all the reasonable ways or means in his or their power, to ascertain, estimate and appraise the true and actual value, any invoice or affidavit thereto to the contrary notwithstanding, of the said goods, wares and merchandise, at the time purchased, and place from whence the same shall have been imported into the United States, and the number of such yards, parcels, or quantities, and such actual value of every of them as the case may require," &c. &c.

The 9th section of the same act provides, "that it shall be the duty of the secretary of the treasury, under the direction of the president of the United States, from time to time, to establish such rules and regulations, not inconsistent with the laws of the United States, as the president of the United States shall think proper, to secure a just, faithful, and impartial appraisal of all goods, wares and merchandise, as aforesaid, imported into the United States, and just and proper entries of such actual value thereof, and of the square yards, parcels or other quantities, as the case may require, and of such actual value of

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every of them; and it shall be the duty of the secretary of the treasury to report all such rules and regulations, with the reasons therefor, to the then next session of congress."

The 1st section of the act of the 2d March, 1833, entitled "an act to modify the act of the 14th July, one thousand eight hundred and thirty two, and all other acts imposing duties on imports," declares "that from and after the 31st day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports by the act of the 14th day of July, 1832, entitled 'an act to alter and amend the several acts imposing duties on imports,' or by any other act, shall exceed twenty per centum on the value thereof, one-tenth part of such excess shall be deducted," &c.

It is believed that by this provision, and as necessary to the execution of the law, all duties imposed by any act of congress, upon foreign imports, are substantially regulated by, and are directed to be estimated and levied upon, the value of the square yard, where that is the form, and upon some other quantity or parcel in cases where the duty is not imposed by the square yard, and that consequently the authority conferred by the 9th section aforesaid, must necessarily be exercised, for the more effectual execution of the said act of the 2d March, 1833.

The following rules and regulations are therefore established, under the direction of the president of the United States, for the purpose of securing a just, faithful and impartial appraisal of all goods, wares and merchandise imported into the United States from and after the 31st December next, and for the just and proper entries of the actual value thereof, and of the square yards, parcels or other quantities, as the case may require.

In all cases of ad valorem duties under the act of the 14th July, 1832, or any other act, the regulations at present authorised by law, for ascertaining the actual value, will remain unaltered. With respect to those articles liable to a specific duty, or other duty than that of ad valorem, the actual value thereof at the time purchased, and place from which the same shall have been imported into the United States or in the country wherein the same may have been originally manufactured or produced as the case may be, will be appraised, estimated and ascertained, and the number of yards, or square yards, tons, pounds, gallons, bushels or other parcels or quantities, and such actual value of any of them as the case may require, and just and proper entries thereof be made, in the same manner and according to the same regulations, as are required by the said act of the 14th July, 1832, and other acts now in force in regard to articles paying ad valorem duty; and in all cases the same verification of invoices and other proofs will be required and produced as are at present authorised in respect to articles liable by previous acts to an ad valorem duty.

The value of all such articles being thus ascertained, the proportion which the duty now paid by such articles bears to the said value, will be calculated, and from the excess thereof beyond twenty per centum: that is to say, where such proportion shall be equal to fifty per centum, there shall be deducted ten per centum upon thirty per centum, or three dollars; and from after the 31st December, 1835, the like deduction shall be made from the same excess, or ten per centum upon thirty per centum, being three dollars more; and in the same manner, at the several periods specified in the said act of the 2d March, 1833, until the 31st of December, 1832, from and after which, one-half of the residue of such excess will be deducted, and the other half thereof from and after the 30th of June, 1842.

From the proportion of the duty thus ascertained upon the wines of France, in addition to the said ten per centum, there will also be deducted such further per centum as will be necessary to preserve the discrimination in favor of such wines, stipulated in the convention between the United States and his majesty the king of the French, concluded at Paris on the 4th of July, 1831, and authorised by law.

It may be proper to observe that all manufactures of cotton, or of which cotton shall be a component part, will be appraised, estimated and ascertained, and the number of yards, square yards, or otherwise, parcel or quantities, and of such actual value thereof as the case may require, will be ascertained, and just and proper entries thereof made, according to the foregoing regulations.

It is believed that the value of foreign imports referred to in the act of the 2d of March, 1833, is not the assumed value on which the duty upon all manufactures of cotton, or of which cotton shall be a component part, is directed to be estimated under the act of the 14th of July, 1832—viz: of *thirty cents*, if not dyed, colored, printed or stained, though valued at *less* than thirty cents; and of *thirty-five cents* if dyed, colored, painted or stained, though valued at *less* than thirty-five cents the square yard. This value is merely artificial, and assumed by previous laws as a means of augmenting the ad valorem rate of duty imposed, for the purpose of protection, upon such articles; and the amount of the duty, although ascertained by the adoption of the minimum principle, is the proportion which the sum collected by the government bears to the actual value of the article: and, therefore, a quantity of such cottons, costing in fact eighty dollars, but valued for the purposes of the act of the 14th of July, 1832, at two hundred and forty dollars, really pays a duty of 75 per centum upon the true value thereof.

The act of the 2d of March, 1833, however, proceeds upon a different principle, and aims at a different purpose. It obviously intends to make an equal deduction from the duty on all foreign imports, and ultimately to reduce it to a rate not exceeding twenty per centum upon the real, and not an assumed, value of the articles imported. This last purpose is explicitly stated in the last clause of the 5th section, which provides "that all imports on which the 1st section of this act may operate, and all articles now admitted to entry from duty, or paying a less rate of duty than twenty per centum ad valorem, before the said thirtieth day of June, one thousand eight hundred and forty two, from and after that day, may be admitted to entry, subject to such duty, not exceeding twenty per centum ad valorem, as shall be provided for by law." And the first section, which has been already referred to, expressly provides for the deduction, after the 30th of June, 1842, of all excess of foreign imports above twenty per centum on the value thereof, which shall have been imposed by previous laws, and to which they may then be subject.

The object of thus establishing a general ad valorem duty on foreign imports, and of equalizing the rate can only be attained by calculating the duty on the real, instead of the assumed value. This purpose is more particularly manifest from the last clause of the third section, which provides that from and after the 30th of June, 1842, "the duties required to be paid by law on goods, wares and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law." Each of these clauses relates to the actual value of the foreign import, and they differ only in estimating that value; previously to the 30th of June, 1842, the value in the foreign country being taken, and after that time, the value at the port of entry. The object of neither can be accomplished at any period, by adhering to the nominal value assumed by previous acts, or to the rate of ad valorem founded upon such assumption.

In all importations of manufactures of cotton, therefore, or of which cotton shall be a component part, after the 31st of December, 1833, the value thereof will be ascertained in the manner aforesaid; and from the amount which the rate of duty under the act of the 14th of July, 1832, or any other act, shall exceed twenty per centum on such value, the deduction required by the act of the 2d of March, 1833, will be made according to the foregoing rules.

Though these rules and regulations will not go into effect until the 1st of January next, they have been thus early adopted and made public for the purpose of giving timely notice to the manufacturers and merchants, and all others concerned; and especially as to the verification, by the consuls abroad, of the invoices of importations to be made after that time.

LOUIS McLANE, *secretary of the treasury.*

CONFLAGRATION OF THE TREASURY BUILDINGS.

Treasury department, April 12th, 1833.

In the late conflagration of the treasury building, nearly all the correspondence of the secretary of the treasury, from the establishment of the department to the 31st March, 1833, was destroyed, including, as well the original letters and communications addressed to the secretary of the treasury, as the records of the letters and communications written by him. With a view to repair the loss, as far as may be practicable, all officers of the United States, are requested to cause copies to be prepared, and authenticated by them, of any letters (excepting those hereinafter alluded to) which they may at any time have written to, or received from, the secretary of the treasury; and all those who have been in office, and other individuals throughout the United States, and elsewhere, are invited to do the same. That this correspondence may be arranged into appropriate books, it is requested that it be copied on folio foolscap paper, with a sufficient margin on all sides to admit of binding, and that no more than one letter be contained on a leaf. It is also requested, that the copies be written in a plain and distinct or engrossing hand. Where the original letter can be spared, it would be preferred. The reasonable expense incurred in copying the papers now requested, not exceeding the rate of ten cents for every hundred words, will be defrayed by the department.

The correspondence which has been saved, and of which, therefore, no copies are desired, are the records of the letters written by the secretary of the treasury to presidents and cashiers of banks, from the 1st October, 1819, to the 20th February, 1833; all the correspondence relating to revolutionary claims under the act of 15th May, 1828, and to claims of Virginia officers to half pay, under the act of 5th July, 1832; and to applicants for the benefits of the acts of the 2d March, 1831, and 14th July, 1832, for the relief of certain insolvent debtors of the United States. Copies of some circular letters and instructions, written by the secretary have also been preserved: and it is requested that, before a copy be made of any *circular* letter or instruction, written by the secretary of the treasury, the date and object of the circular be first stated to the department, and its wishes on the subject ascertained.

LOUIS McLANE, *secretary of the treasury.*

Prices current—*Baltimore, May 3.* Flour, best white wheat, 6 75@7 25; other from 5 2@5 75—Howard street 5 25@5 37½. Best red wheat 1 15@1 2—white 1 30@1 35; corn 65@66, rye 74, oats 37½@40; clover seed 8 00. Whiskey, 1st proof, 29½@30½. Wool—washed, from 25@50; unwashed, from 16@30. Beef on the hoof 5 50@6 25. Oak wood 3 00@3 25; pine 2 25. [*American Farmer.*

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